

# GENERAL DEVELOPMENT COMMITTEE MINUTES

July 3, 2003

The General Development Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on July 3, 2003 at 9:20 a.m.

## COMMITTEE PRESENT

Dennis Kavanaugh, Chairman  
Kyle Jones  
Claudia Walters

## COUNCIL PRESENT

Rex Griswold

## OFFICERS PRESENT

Debra Dollar  
Paul Wenbert

1. Discuss and consider policy direction regarding use of I-Code or NFPA Code for City of Mesa Building Code.

Chairman Kavanaugh provided a brief overview of the meeting process that would be followed and noted that since this is a Council Committee meeting, public testimony will not take place. He added, however, that staff will be highlighting presentations on each of the agenda items and noted that the first one deals with policy direction regarding building codes.

Development Project Coordinator Orion Goff addressed the members of the Committee and thanked them for the opportunity to speak on this item. He explained that several months ago, it became obvious that the development community was extremely interested in persuading the City of Mesa to update the existing codes. He said that a meeting was held with the City Manager and staff from Development Services Administration, Building Safety, and the Fire Department in an effort to discuss proceeding with the challenge that had been presented.

Mr. Goff reported that as a result of those discussions, a Committee was formed, comprised of a very diverse group, including four members of the Fire Department, two representatives from Development Services Administration, two staff members from the City Manager's Office, and four representatives from Building Safety. He listed the names of the various members of staff who served as members of that Committee.

Mr. Goff informed the members that the identified objectives were very carefully and specifically "spelled out" and added that various Technical Committees were then formed to address each of those issues. He noted that the criteria for the comparison included meeting minimum community accepted life-safety needs; including adequate training, support, certification and interpretation; and ensuring that the language be clear, concise and enforceable. Mr. Goff noted that they used the current Codes in place in Mesa, i.e., the 1994 UBC, 1997 UFC, 1994

UPC and 1994 Mechanical Code as a “benchmark” for comparison. He discussed staff’s intention to recommend a code that would result in greater acceptance by City staff and throughout the community. He emphasized the importance of adopting a code that contained a “family of codes” that were coordinated in an effort to limit potential conflicts during plan review and project inspections.

Mr. Goff reported that actual technical comparisons were conducted in these categories and the membership of the Technical Committees included representatives from the several departments on each of those committees. He commented on the fact that codes are extremely technical in nature and said that the following items were selected to compare to items that are used by staff on a day-to-day basis:

- Abatement of dangerous buildings;
- The performance based codes, which is a new iteration of what is going on with codes in modern times;
- Special inspections;
- Residential code provisions;
- Allowable heights in areas and types of construction;
- Means of egress
- Hazardous materials
- Structural aspects of the codes
- Use of occupancy of buildings and structures; and
- Protection systems.

Mr. Goff advised that in addition to reviewing the technical aspects, significant time and effort went into analyzing the impact of transition from the “old code” to the “new code.” He explained that in the past, staff only looked at the new iteration of the code that was already being enforced and so the transition has been fairly simple. He added that the organization that was the “author” of the codes actually prepared a transitional material analysis of the revisions and this made it fairly easy to transition from the old to the new. He added that based on this transition and on the fact that they are considering two different codes, staff wanted to take into consideration the practical application of that transition.

Discussion ensued relative to talk that took place regarding issues associated with unfamiliarity with the codes, training programs to meet all needs that would have to be put in place; staff certification and the importance of ensuring that staff has up to date knowledge on all codes, the fact that the new code they are considering, the NFPA, has a little different certification program; reference materials and required training.

Mr. Goff noted that there are four different disciplines where staff needs to be maintained and added that the City pays for the certification of staff and also for the maintenance of those certifications, so timing issues, potential impacts as a result of certification, timing and costs were closely reviewed. He also commented on the fact that external customers, specifically architects, posed questions on costs and timing associated with bringing their staffs “up to speed” on the new codes and this too was an important area that staff wanted to look into.

Additional discussion ensued relative to the fact that staff has been closely monitoring the comments received on the City’s website; the fact that all comments obtained as a result of

public meetings will also be logged and responded to; the fact that additional meetings will be held and open to the public in an effort to obtain as much public input as possible; the fact that the Council will be updated on all comments received and everyone who submits ideas/suggestions/comments will receive a response; the fact that staff is hoping to receive a tentative decision in August on what code to pursue, the new iteration of the codes that the City has been enforcing or the new NFPA-5000; and the significant amount of work and time associated with customizing amendments for various communities.

Mr. Goff expressed appreciation to everyone who has been involved in this important process and pointed out that approximately 240 pages of information was placed on the website. He indicated his willingness to respond to questions from the members of the Committee.

Committeemember Jones commented on the fact that what the City currently does is more closely aligned with the I-Codes and asked whether it would be a tremendous burden on staff to shift to the Fire Code. Mr. Goff responded that staff looked hard and long at this issue. He said that the Committees recognized and agreed with the fact that yes, substantially more training would be necessary to come "up to speed" if they decided to go with the NFPA Codes and that the time might take staff members away from the Core Plan Review that they are currently working on.

In response to a question from Committeemember Walters relative to this matter, Mr. Goff confirmed that what staff is recommending at this time contains several "sub-sets" that are not being recommended at this time. He added that the Fire Code, the Plumbing, Electrical and Mechanical will come forward at a later date. He said that at this point in time, staff wanted to move ahead with the main code, which is the Building Code. He explained that the I-Codes have two codes; one that deals mostly with commercial construction, which is the International Building Code (IBC) and added that they also have a code that has been used across the country, a residential code, the International Residential Code (IRC). He noted that both codes were concentrated on in the report and because of staff's desire to have an integrated family of codes, if the IBC was adopted and the IRC, the other family of codes that come along with them would make sense. He also noted that if they decided to go along with the alternative, the NFPA Code, they have a couple of organizations that they've teamed up with that also have a Fire Code, a Plumbing Code, and a Mechanical Code and noted that all of these issues would have to be considered.

Committeemember Walters commented on the fact that she has been significantly "lobbied" on this matter during her term in office and noted her unfamiliarity with the technical aspects of this issue. She said she was surprised that the fire aspect has not been brought forward yet by staff and noted that most of the comments she has heard have dealt with health and life safety issues. She added that it is her understanding from staff's presentation that the Committee believes that the IBC addresses the health and life safety issues sufficiently and when staff brings forward the Fire Code and the adaptations that will need to be done to "meld" all of the components together, a much safer process will be in place. Mr. Goff concurred with Committeemember Walters' summation.

Additional discussion ensued relative to the expertise that exists on the various committees; various Fire Codes and extensive research that will be expended in this critical area; and staff's conclusion that the code that will best serve the community is the I-Code for building; and the

fact that if in the future the Fire Department decides that they could better serve the community by utilizing NFPA, the possibility exists to integrate the two codes.

It was moved by Committeemember Walters, seconded by Committeemember Jones, to recommend to the full Council that staff's recommendations relative to the adoption of the I-Code be approved.

Committeemember Jones commented on the importance of obtaining input from the Fire Department in the future as the process proceeds and involves that Department.

Chairman Kavanaugh noted that this will be a separate process and Mr. Goff added that the separate process will most likely occur six to eight months down the road, when the Department's involvement is required.

Chairman Kavanaugh commented that he cannot vote in support of the motion although he supports the recommendations and thoroughly reviewed every page of the extensive report. He said that his concern is that the NFPA Codes are the most widely used codes in the world and are adopted through a consensus process that he believes is more beneficial to residents. He added that the NFPA Codes start from a premise that he believes places a greater emphasis on life safety, public safety and code safety of first responders. He explained that this is not to say that the I-Code does not contain that concern as well, but he believes this to be a philosophical issue.

Chairman Kavanaugh also expressed concerns relative to moving in a different direction than the City of Phoenix, the largest City in the Valley, and perhaps creating more confusion or concern for builders as a result of this action. He stated the opinion that this will create some challenges and added that the process the City used to arrive at recommendations was fair and very detailed in its analysis and he respects those recommendations.

Upon tabulation of votes, it showed:

AYES - Jones-Walters  
NAYS - Kavanaugh

Chairman Kavanaugh declared the motion carried by majority vote.

2. Discuss and consider use of sponsorships for signage at the Mesa Centennial Center/Mesa Amphitheatre.

Chairman Kavanaugh commented that he was requested by Mayor Hawker to convey the Mayor's concerns regarding how the City could prevent the advertising of liquor, tobacco and political candidates at the Mesa Centennial Center/Mesa Amphitheatre.

Centennial Center Director Rhett Evans addressed the members of the Committee relative to this agenda item. He reported that the primary goals of a signage program at the Centennial Center/Amphitheatre would include increased City revenues (up to \$25,000 annually), the potential to "up sell" within the venue (a patron seeing a sign for a soda or hot dog is more likely to make an impulse purchase), and the promotion of local businesses.

Mr. Evans advised that the sale of signage in public assembly facilities, such as Bank One Ballpark, Hohokam Stadium and America West Arena, has occurred for many years and is used primarily to entice buyers to purchase products at the venue and thereby create new revenue streams for the facility. He explained that staff has identified 29 areas throughout the Amphitheatre to locate a variety of signs including backlit signs, metal non-lit signs, or vinyl banners that could be placed along rails and removed during particular events. Mr. Evans added that through ongoing discussions with the City Attorney's Office, a sample "Sponsorship Agreement" has been drafted which contains a number of preclusions that would allow the City of Mesa the necessary leverage to cover up a sign which may not be conducive to a particular event. (See Attachment.)

In response to concerns expressed by Committeemember Walters regarding how to prevent the advertising of beer or tobacco to minors at a concert, for example, Mr. Evans clarified that staff reviews the demographics of each show held at the Amphitheatre. He explained that when products such as alcohol or tobacco are not sold at a specific event, per the contract the City enters into with those vendors, the particular signs in question would be covered up for that event.

Committeemember Walters commented that she does not view the proposed signage program as being vastly different from what is currently in place at Hohokam Stadium and noted that it would provide the City with an opportunity to generate revenue and promote Mesa businesses.

It was moved by Committeemember Walters to recommend to the Council that the proposed Centennial Center/Amphitheatre signage program be approved.

In response to a question from Committeemember Jones regarding the ability of the City to legally limit the advertising of alcohol and/or tobacco at Amphitheater events, Mr. Evans referred to No. 8 of the Sponsorship Agreement which states the following: "Conducive to Event. City reserves the right to cover up any sign(s) for a particular event that City determines, in its sole discretion, are not conducive to such event."

Committeemember Walters stated that because the City does not sell tobacco products at the Centennial Center/Amphitheater, she questioned whether there was a mechanism available whereby the City could legally exclude tobacco products in its contracts and thereby prohibit the advertising of such products at the facilities. She requested that the City Attorney's Office conduct research relative to this issue prior to the matter being presented to the full Council.

In response to the concerns expressed by Committeemember Walters, Mr. Evans clarified that the primary focus of the signage program is to target and promote downtown partners and area vendors, such as hotels and restaurants, and also to sell the facility's products (i.e., hot dogs, nachos, beer). He stressed that this does not include the sale of tobacco products.

Chairman Kavanaugh noted that during his tenure on the Council, similar issues have arisen in the past including advertising on buses and bus shelters. He commented that communities throughout the Valley and the country have experienced difficulties relative to the regulation of the content of advertising when an entity leases a space or displays a sign that certain members of the community may deem controversial or offensive. Chairman Kavanaugh stated that although the Sponsorship Agreement allows the City to reserve the right to regulate the content of a sign, it is an issue that the entire Council must be cognizant of if this matter proceeds

forward. He also concurred with Committeemember Walters' suggestion that the City Attorney's Office research this issue further before the matter is presented to the full Council.

Committeemember Walters amended her previous motion to include that the proposed Centennial Center/Amphitheatre signage program be approved, pending further research by the City Attorney's Office to determine the City's ability to prohibit the advertising of tobacco products at the facilities.

Committeemember Jones seconded the motion.

Carried unanimously.

Chairman Kavanaugh thanked Mr. Evans for his presentation and added that he looks forward to reviewing the City Attorney's additional research prior to this matter being presented to the full Council.

3. Discuss and consider adoption of a new Mesa City Rehabilitation Code.

Deputy Director for Plan Review Dave Harding addressed the Council relative to this agenda item. He provided a brief historical overview and reported that after carefully researching various rehabilitation codes developed throughout the United States, staff selected the North Carolina Rehabilitation Code to use as a model for Mesa's Rehabilitation Code and has recently completed the adaptation process.

Mr. Harding explained that unlike the current City-adopted building codes that are directed toward new construction, Mesa's Rehabilitation Code will provide the development community with a tool to encourage the reuse of existing buildings. He stated that in addition, the Code will assist business owners in the assessment of potential locations, the scope of work, and the limits of compliance that will be required; provide owners and designers with greater latitude relative to the best manner in which to approach a project and thereby save money, and also play a key role in the promotion of Mesa's "business friendly" philosophy. Mr. Harding added that the Rehabilitation Code is organized in such a manner that with little foreknowledge, a business owner can assess the best use for a space, as well as the level of work that will be required in order to accommodate that use.

Mr. Harding concluded his remarks by stating that it is staff's recommendation that the Council adopt the new Mesa Rehabilitation Code for use as an alternative to the currently adopted new building code. He added that various departments throughout the organization, as well as the external stakeholders and the members of the development community, concur with the recommendation.

Discussion ensued relative to various definitions contained in the draft Mesa Rehabilitation Code.

Committeemember Walters expressed support for staff's recommendation. She also suggested that in conjunction with the adoption of the new Mesa Rehabilitation Code, that staff review the recently issued renovation guidelines within the International Code and the NFPA 5000 to determine if there are specific criteria in those documents which may be appropriate to incorporate into the Mesa Rehabilitation Code in the future.

It was moved by Committeemember Walters to recommend to the Council that the new Mesa Rehabilitation Code be adopted for use as an alternative to the currently adopted new building code.

In response to a question from Committeemember Jones, Mr. Harding reiterated that the purpose of the Mesa Rehabilitation Code is to provide business owners/developers with greater flexibility relative to their assessment of potential locations, the scope of work, the limits of compliance that would be required, as well as basic and additional requirements as defined by that scope.

Committeemember Jones seconded the motion.

In response to a question from Chairman Kavanaugh, Redevelopment Director Greg Marek stated that the adoption of the Mesa Rehabilitation Code will make it easier and more affordable to renovate older buildings in the Town Center area. He added that the Code also contains specific provisions with regard to historic buildings.

In response to a question from Councilmember Griswold, Mr. Harding clarified that if the Mesa Rehabilitation Code is approved, there will be a period of adjustment while the Plans Examiners undergo training. He explained that several staff examiners, who were participants in the Code review process, have gained expertise in various elements of the document and have been assigned to conduct training relative to those areas. Mr. Harding added that the development community will also be invited to participate in the training sessions as well.

Chairman Kavanaugh voiced support for the motion and commented that if the Council approves the Mesa Rehabilitation Code, it will be one of the most important steps that the City has ever taken to encourage reinvestment in aging areas of the community. He also commended staff for their efforts and hard work relative to this important issue.

Carried unanimously.

Chairman Kavanaugh thanked staff for the presentation.

4. Discuss and consider the following draft Requests for Qualifications.

- a. Site 17 (approximately a 25-acre parcel located at the southwest corner of Mesa Drive and University Drive).
- b. Site 7 (approximately 10-acres located between Main Street and 1<sup>st</sup> Avenue and Mesa Drive and Hibbert Street).

Redevelopment Director Greg Marek, Senior Redevelopment Specialist Patrick Murphy and Senior Redevelopment Specialist Shelly Allen addressed the members of the Committee relative to this agenda item.

Mr. Marek reported that at the April 24, 2003 Study Session, the City Council directed staff to prepare Requests for Qualifications (RFQs) for Site 17 and Site 7. He explained that as part of the RFQ process, the City intends to contract with Hunter Interests, Inc. to assist in soliciting developer interest in the sites. (Mr. Marek advised that Hunter Interests, Inc. was retained in January 2002 to assist the City with the implementation of the Mesa Town Center Concept Plan

with an emphasis on preparing financially feasible development concepts from a developer's perspective for five key sites in the Town Center Redevelopment Area.) Mr. Marek emphasized that today's agenda item is to request authorization to issue the RFQs seeking developer interest on Site 17 and Site 7 and added that as staff proceeds with the Request for Proposal (RFP) process, all proposals will be presented to the Council for consideration prior to staff proceeding forward.

Mr. Marek commented that Mr. Murphy has been appointed Project Manager for Site 17 and that Ms. Allen has been designated Project Manager for Site 7. He stated that they are available to respond to any questions the Committeemembers may have relative to their assigned location.

Discussion ensued relative to the fact that RFQs will be sent to developers utilizing Hunter's database (over 400 developers), as well as those developers who have expressed an interest in both development sites; that both RFQs will be issued simultaneously, but there will be an extended due date for the Site 17 RFQ; that both RFQs will include a description of Mesa and the downtown area, and that as recommended by the Downtown Development Committee, the RFQs that are issued will contain modified aerial maps depicting property ownership.

Mr. Marek noted that as a result of the Council's recent discussions regarding the expansion of the Centennial Center, development of Site 17 may be broadly discussed during the Northeast Quadrant planning process which includes the Centennial Center, the Escobedo District, the Mesa Post Office and Irving School. He stated that staff has initiated planning efforts for the Northeast Quadrant and commented that the Site 17 RFQ process will assist in the identification of potential developers not only for this location, but the Northeast Quadrant as well. He added that he anticipates that the Northeast Quadrant study will be completed by the deadline for the submission of the Site 17 RFQ proposals.

Mr. Marek stated that it is the recommendation of staff that the RFQs for Site 17 and Site 7 be issued and that with concurrence by the Committee, staff will present the revised RFQs at the July 14, 2003 Regular Council Meeting.

Committeemember Walters commended staff for their assurance that as part of the development of Site 7, the City does not intend to acquire any additional properties.

In response to a question from Committeemember Walters, Mr. Murphy stated that he does not believe that the issuance of the Site 17 RFQ is premature at this time. He explained that staff is working in conjunction with Hunter on the Northeast Quadrant study and reiterated Mr. Marek's previous comments that the study should be completed by the deadline for the submission of the Site 17 RFQ proposals.

Mr. Marek responded to additional questions from Committeemember Walters.

It was moved by Committeemember Jones, seconded by Committeemember Walters, to recommend to the Council that staff be directed to issue Requests for Qualifications for Site 17 and Site 7.

Carried unanimously.

5. Discuss and consider ordinance requiring no-step access for sales offices.

Chairman Kavanaugh reported that this item was first brought to his attention by clients who were Phoenix residents and members of a task force charged with examining the issue of new model homes that did not provide equal access for disabled individuals. He explained that he requested that staff research an ordinance entitled the "No-step Entry Ordinance," passed in May 2001 by the Phoenix City Council, to assess whether it could be adapted into Mesa's building codes.

Development Project Coordinator Orion Goff addressed the members of the Committee and provided a brief historical overview of this item. He advised that in the past, the Mesa City Code required homebuilders and developers to provide an accessible path from the parking lot of a model homes complex into the sales office; that the Code does not currently require an accessible (no-step) entry into the individual model homes; that Phoenix's ordinance requires the installation of a no-step entry at the primary entrance of at least one model home in each new model homes complex and has been well received by not only the development community, but homebuyers as well; that many of the new model home complexes in Mesa already offer the no-step entry as an option; and that staff presented this issue for discussion at the May 2003 Development Advisory Forum and garnered positive feedback with only minor modifications to the proposed ordinance. Mr. Goff added that while Phoenix's ordinance requires the no-step entry to be located at the primary entrance, in staff's opinion, it was equally acceptable to allow the placement of the no-step entry at any exterior entry into the house.

Discussion ensued relative to various technical conformance criteria contained in the draft ordinance, and the proposed modifications suggested by the Development Advisory Forum.

Committeemember Walters expressed support for the proposal and commented that the no-step entry will not only provide disabled individuals with greater accessibility to the model homes, but can also be incorporated into the design of a new home.

Chairman Kavanaugh commended staff for their efforts and hard work relative to this issue. He noted that a single-entry step is often a major barrier for disabled citizens and stated that the addition of a ramp to accommodate a homeowner subsequent to the construction of a new home is often unfeasible and cost prohibitive.

It was moved by Committeemember Walters, seconded by Committeemember Jones, to recommend to the Council that Section 4-1-1(R) of the Mesa City Code relating to providing a no-step entry at all new model home complexes, be approved.

Carried unanimously.

6. Discuss and consider adoption of annual facilities building permit program.

It was moved by Committeemember Walters to recommend to the Council to amend the City of Mesa's Registered Industrial Plant Program, as currently outlined in Title 4, Chapter 9, Section 1 of the Mesa City Code, and supplemented by the Uniform Administrative Code.

Development Project Administrator Orion Goff provided a brief overview of this agenda item. He reported that staff's proposal models the City of Phoenix's Annual Facilities Permit (AFP) Program, which is regarded as the industry standard by existing development community

participants, due to the comprehensive nature of the program, the promotion of excellent customer service, and a “business friendly” environment.

In response to a question from Committeemember Jones, Mr. Goff clarified that if the Council approves staff’s recommendation, it may be difficult to estimate how many customers may take advantage of a revised ordinance/program. He explained that current field inspection staff is capable of administering a limited program, but noted that depending on the level of customer demand for the service, additional staff may be required.

Committeemember Jones seconded the motion.

Carried unanimously.

7. Hear a status report on development of Infill policy.

Neighborhood Outreach Coordinators Deanna Villanueva and Susan Guthrie, Senior Planner Gordon Sheffield and Senior Economic Development Specialist Tammy Albright addressed the Committee relative to this agenda item.

Ms. Villanueva provided a brief analysis of a December 2002 vacant parcel survey conducted by the Neighborhood Outreach Division which was designed to gather input from owners of vacant land, as well as neighborhood spokespersons relative to infill development and their involvement in the process. She briefly highlighted the methodology, response rates, and significant findings of the study. Ms. Villanueva stated, among other things, that at the time of the survey, the City had 253 registered neighborhoods; that primary contacts for registered neighborhoods were located within one mile of a vacant parcel; that the Neighborhood Outreach Coordinators conducted a physical inventory of all vacant parcels to ensure that the site remained vacant at the time of the survey; that some of the responses included the desire to receive notification if a vacant parcel is developed; that the preferred types of infill development would consist of parks, commercial properties, City facilities, churches and schools, and that the majority of the owners of vacant land have no plans to build on their property.

Discussion ensued relative to the fact that the vacant land survey was conducted throughout the entire City and prior to the Infill Working Committee establishing a definition for “infill,” and that the surveys were coded according to geographic areas.

Mr. Sheffield displayed graphics in the Council Chambers and provided a brief historical overview of the process whereby the Infill Working Committee, consisting of staff from various City departments and citizen volunteers, has begun to develop a list of preferred options to address some of the procedural and standards-based reasons that may be seen as inhibiting the development of infill-related sites. Mr. Sheffield commented that in the City of Mesa, infill sites are scattered throughout the community, with Districts 1 through 4 having the highest concentration, as well as some bypass parcels in Districts 5 and 6. He added that the vacant land survey did not take into account the County Islands.

Mr. Sheffield stated that in an effort to more clearly define what constitutes an infill project, staff conducted research with a number of other Valley cities. He commented that some of the more pertinent findings include the following: out of the 27 cities surveyed, 21 require that infill lots be vacant; 19 require that existing development surround the site; 19 require the presence of utility infrastructure, and Phoenix, Glendale, Peoria, Chandler and Mesa specify single-family housing as a requirement for infill.

Mr. Sheffield referred to the Infill Working Committee Draft Report (Revised May 29, 2003), and highlighted the following recommended alternatives: 1. Development of "proportional" modifications to existing development standards; 2. Use existing planning and engineering related programs and processes; 3. Development of Specific Plans (aka "sub-area" plans); 4. Permit traditionally prohibited uses in residential districts on a restrictive and conditional basis, and 5. Public Hearing Process Improvements. (The Infill Working Committee Draft Report is available in the City Clerk's Office for review.)

In response to concerns expressed by Committeemember Walters regarding Alternative 4, Mr. Sheffield acknowledged that although this option may be controversial, in the opinion of the Committee, it was an issue worth pursuing.

Mr. Sheffield also briefly reviewed Alternative 6, Infill Development Incentive Districts, which is not recommended by the Committee.

Mr. Sheffield concluded his remarks by noting that with regard to the implementation of the recommended alternatives, Alternatives 2A, 2B, 2C and 5B may be implemented under the present City Code with little or no modifications; Alternatives 1, 3, 4 and 5A require a hearing, a recommendation and a decision on the part of the Planning and Zoning Board and the City Council, and Alternative 2 would also require reviews by the Design Review Board and Downtown Development Committee.

In response to a question from Chairman Kavanaugh, Mr. Sheffield clarified that staff is still in the process of receiving input from other City departments and will finalize the report and bring back its recommendations to the General Development Committee and ultimately to the full Council.

Chairman Kavanaugh thanked staff for the presentation.

8. Adjournment.

Without objection, the General Development Committee meeting adjourned at 11:13 a.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the meeting of the General Development Committee of the City of Mesa, Arizona, held on the 3<sup>rd</sup> day of July 2003. I further certify that the meeting was duly called and held and that a quorum was present.

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BARBARA JONES, CITY CLERK

## Mesa Centennial Center

### Sponsorship Agreement

The City of Mesa, dba Centennial Center, is pleased to establish a sponsorship with \_\_\_\_\_, whose address is \_\_\_\_\_ ("Sponsor").

This Sponsorship Agreement (the "Agreement") is made and entered into by and between Sponsor and the City of Mesa ("City"), effective as of \_\_\_\_\_, 2003. The City wishes to express its sincere appreciation for contributions it has received in exchange for the grant of sponsorship rights set forth in this Agreement.

#### Sponsorship Provisions

1. Term. The term of this Agreement is \_\_\_\_\_ year(s), commencing \_\_\_\_\_, 2003 and ending \_\_\_\_\_, 2004.
2. Sponsorship. City grants to Sponsor the right to display Sponsor's logo and/or established slogans in the following locations at the City Centennial Center or City Ampitheater, as identified on the location map attached hereto as Exhibit A ("the Sign Location").
  - a.
  - b.
3. Sponsorship Contribution. In consideration for such right, Sponsor agrees to pay City a sponsorship contribution in the amount of \$ \_\_\_\_\_.
4. Fabrication. Sponsor will be solely responsible for the design, and/or fabrication of the signage on which Sponsor's logo and /or established slogans are displayed, and all costs and expenses associated therewith.
5. Installation. City will be solely responsible for the installation of the sign(s), and all costs and expenses associated therewith.
6. Design Approval. City reserves the right to approve all design specifications for the sign(s), including, type, size, color, and content. Such approval may be granted or denied in City's sole discretion.
7. Ownership, Removal. Upon installation, all backlit signs will become the sole property of City. All other signs, including without limitation metal signs and vinyl banners, shall remain the property of Sponsor. Upon expiration or other termination of this Agreement, Sponsor shall remove all signs, except backlit signs, from City property within 5 working days after such expiration or other termination.

8. Conducive to Event. City reserves the right to cover up any sign(s) for a particular event that City determines, in its sole discretion, are not conducive to such event.

9. Assignment. Sponsor will not assign this Agreement, or sublicense any of the rights granted hereunder without the prior written approval of City. Such approval may be granted or denied in City's sole discretion. Any assignment or sublicense in violation of this section shall be void.

10. Governing Law. This Agreement will be interpreted in accordance with Arizona law, including the applicability of A.R.S. 38-511.

11. Entire Agreement, Amendments. The terms outlined in this Agreement constitute the entire understanding and agreement between the parties with respect to the sponsorship arrangement between City and the Sponsor. This Agreement may be amended only by written instrument signed by the parties hereto.

ENTERED INTO by the undersigned parties this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

Sponsor:

City:

\_\_\_\_\_  
By:

\_\_\_\_\_  
By:

Its:

Its: