



# COUNCIL MINUTES

December 14, 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 December 14, 2020 at 4:00 p.m.

## COUNCIL PRESENT

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

## COUNCIL ABSENT

Jeremy Whittaker

## OFFICERS PRESENT

Christopher Brady  
Dee Ann Mickelsen  
Jim Smith

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

Mayor Giles excused Councilmember Whittaker from the entire meeting.

Mayor Giles conducted a roll call.

### 1. Discuss mitigating the spread of COVID-19 by prohibiting the use of City-owned facilities by out-of-state sports teams and groups.

Mayor Giles reported on a letter he received from the Greater Phoenix Leadership Health Task Force (GPLHTF) which is made up of the Chief Executive Officers (CEOs) of the major healthcare employers and businesses in the state. He commented the letter requested the City of Mesa (COM) take all necessary steps to respond to the spread of COVID and stressed the dire situation in the state. He stated one item listed within the purview of the City is to shut down all youth sports activities.

Mayor Giles outlined his discussion with Dr. Marjorie Bessel, Chief Clinical Officer of Banner Health who indicated the situation is grim and dire, and for the next two months the hospital capacity in Mesa will be stretched and stressed with an expected capacity of 150%.

Mayor Giles commented the January 11 City Council agenda will include a more comprehensive presentation from staff about the City's COVID response and post-CARES Act, employment, and vaccine deployment. He stated the agenda for today's meeting is limited to sports fields.

Mayor Giles pointed out Marc Garcia, Visit Mesa President and CEO, sent an email summarizing the pending reservations tied to the use of COM fields. He clarified between now and February 2021 there are thousands of hotel bookings, and an action prohibiting the use of COM fields would mean the loss of several hundred jobs.

Mayor Giles pointed out the fact that there are two legitimate and competing interests that need to be resolved in order to fight the spread of the virus and save jobs that are critically important to individuals and their families. He explained that Visit Mesa has presented a Memorandum of Understanding (MOU) that details enhanced safety measures that the hospitality industry in Mesa would impose on themselves to do their part to fight COVID. He stated it will be necessary to adopt stricter rules for the use of COM fields and strictly enforce current rules.

Acting Deputy City Manager Marc Heirshberg introduced Acting Director of Parks and Community Facilities Andrea Moore.

Mr. Heirshberg detailed the current guidelines which were implemented to control the spread of COVID which includes limiting capacity at 50 people per field. He reported Governor Ducey's Executive Order 2020-59 requires the City to submit to the Arizona Department of Health Services (ADHS) mitigation plans and attestation forms showing the options that will be enforced. He verified enforcement actions include cancelling events, eliminating future permits, and stopping events if policies are not followed. He emphasized that event organizers and league operators will be asked to sign forms that states the organizer/operator understands the Governor's executive orders, the protocols established by the Centers for Disease Control (CDC) and ADHS, and the Mayor's mask mandate proclamation. He stressed tournament organizers will be required to have all players, officials, and spectators wear masks while they are entering the facility and leaving the facility and in common areas. He clarified players and officials may remove masks while in the field of play.

Mr. Heirshberg indicated event organizers will be asked to remind their staff, coaches, and attendees about the exposure symptoms; ask that if they have been exposed or have any symptoms they should not come to the event or participate; and should stay home whether those symptoms are fever, cough, soreness, or shortness of breath. He stated organizers are also being asked to have signs in place outlining social distancing, mask requirements, hand washing and sanitizing. He commented swimming pool capacities will be addressed based on the configuration of the event and the pool as each pool size is different and events are different based on the number of lanes required. He explained the event organizers will be asked to outline their plan to enforce the policies and provide the names of those individuals who will be responsible so that COM site supervisors and Park Rangers can check in with those designated at each location or event when enforcement is needed. He clarified in signing the form, organizers understand that failure to comply with the requirements can and will lead to immediate cancellation of that game or event in that field or the entire event or sports complex. He added it could also mean no additional permits would be issued to that organization until this health crisis has passed.

Mayor Giles expressed the opinion that in light of the strict protocols, he would like to give the process time to work and send the strong message to the community that the next thing is to close our fields.

In response to a question from Councilmember Heredia, Mr. Heirshberg clarified there are site supervisors at each sport field/location, and Park Rangers monitoring City parks. He stated staff is requesting from each event organizer a direct contact that will be at each facility and will be responsible for ensuring the mitigation plan is being implemented and enforced, and that participants and spectators are following the plans, including social distancing and the mask mandate. He verified if site supervisors or Park Rangers observe non-compliance, they will contact the responsible individual for that event to enforce; and if that is not effective, staff will cancel the event.

In response to additional questions from Councilmember Heredia regarding indoor facilities for sport events/activities, Mr. Heirshberg reported there are limited capacities at the Red Mountain Center. He stated the only indoor league currently scheduled is a volleyball league in mid-January and the teams will be spaced apart with a limit of 14 to 16 total for each team, with only two teams playing at one time.

In response to a question from Vice Mayor Freeman regarding metrics for the number of people allowed at sporting events, Mr. Heirshberg replied the number changes based on age group, level of play, roster size, sport, and how many people are on a roster. He verified the maximum remains at 50 people per field which allows for at least one parent per player, plus coaches and officials.

In response to a question from Councilmember Luna, City Attorney Jim Smith explained people are not required to disclose if they have COVID; however, the additional requirements prohibit them from entering the sports field. He clarified if the organizers are aware of someone with COVID and allow them in and staff finds out, the City can revoke the license for the event and not issue them future event licenses.

Councilmember Thompson stated the opinion that children need an outlet with sports and exercise and thanked Mr. Heirshberg and his staff for establishing these requirements to keep sports fields open.

Mayor Giles requested language be added to the agreement for tournament organizers that in addition to organizers being responsible for increased enforcement, that game officials adopt a policy to halt a game if spectators are not complying with the guidelines. He requested staff have A-frame signs made to provide to public and private events to remind people about social distancing, wearing masks, and utilizing hand sanitizing methods.

Mr. Heirshberg explained that a tournament he attended included in their mitigation plan that if a parent did not follow the rules, both the parent and child would be removed from the game. He expressed the opinion that the official's job is to watch the game and keep athletes safe, which makes it difficult to keep an eye on the spectators as well.

Mr. Brady stated it is difficult for government to change behaviors, but what the City can do is revoke a permit, remove a participant, or shut down an event if the rules are not followed. He commented if staff tries to enforce the mask mandate, the situation will become confrontational; however, staff can notify an event organizer that their event is being shut down due to non-compliance. He explained approaching the organizer is more effective as they are part of the process of enforcement.

Councilmember Duff expressed the opinion that due to the seriousness of the current health crisis the City needs to be strict about enforcement. She reported that over the last two weeks the 85202 zip code had the highest infection rate in the state; and last Friday, Arizona had the highest rate of infection in the Country.

Mr. Heirshberg responded by saying Parks and Recreation and Business Services staff have been working with all event organizers that include 50 people, that these events must apply to the City for that event with a mitigation plan, that the application is reviewed by Business Services, and the mitigation plans are posted on the City's website. He stated staff is focused on events throughout the City to ensure best practices are in place.

In response to a concern expressed by Mayor Giles related to the enforcement language, Mr. Heirshberg confirmed the social distancing language does not say encourage but says organizers will “ensure” social distancing.

In response to a question from Councilmember Thompson related to requiring masks for players leaving the field of play and allowing them time to catch their breath, Mr. Heirshberg clarified the bench and dugout area are included as part of the field of play, eliminating that concern.

In response to a concern from Councilmember Luna, Mr. Brady explained staff has not contemplated acknowledgment from every family. He remarked the burden would be on the organizers to complete the education and enforcement, since they are the ones with the most at stake, so it is easier for staff to deal with them on compliance.

Discussion ensued relative to the MOU language drafted by Visit Mesa, that it includes practices aimed at trying to limit the interaction between tournaments/visitors/public gatherings, and that the number of occupants in a hotel room will be policed by hotel staff.

Mayor Giles commented it is the consensus of Council to proceed with adopting the stricter guidelines on the use of sports fields.

Mayor Giles thanked staff for the presentation.

## 2. Adjournment.

Without objection, the Study Session adjourned at 5:03 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 14<sup>th</sup> day of December 2020. I further certify that the meeting was duly called and held and that a quorum was present.

---

DEE ANN MICKELSEN, CITY CLERK

jg/dm