

## **POLICE COMMITTEE MINUTES**

May 9, 2005

The Police Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on May 9, 2005 at 3:31 p.m.

**COMMITTEE PRESENT**

Kyle Jones, Chairman  
Tom Rawles  
Claudia Walters

**COMMITTEE ABSENT**

None

**STAFF PRESENT**

Mike Hutchinson

Acting Chairman Walters announced that Chairman Jones declared a potential conflict of interest relative to agenda item number 1, and therefore he would not discuss or participate in the meeting during this agenda item. Chairman Jones joined the Committee meeting at 3:38 p.m. for discussion and consideration of agenda item number 2.

1. Discuss and consider amendments to Title 6, Chapter 15, Sections 3 (E), 6 (A), and 20 (B) of the Mesa City Code, which allows enhanced burglar alarm verification, an amended false alarm assessment structure, and technical changes to the alarm permit process.

Police Chief Dennis Donna advised that Commander Richard Clore was present to outline the proposed changes to the false alarm ordinance (see Attachment 1) that are based on direction previously provided by the Council.

Commander Clore stated that staff reviewed the assessment fee structure for false alarms. He reported that the proposed ordinance would impose a fee of \$50 for the first false alarm, but that the responsible party has the option to attend a Mesa Alarm Awareness Class in lieu of paying the first assessment. He noted that only ten percent of the 636 people who attended the class in the past five years utilized the assessment waiver, which indicates that the class is an effective means of reducing false alarm calls. Commander Clore said that the proposed ordinance also requires the alarm-monitoring company to place two telephone calls to the responsible party prior to calling the Police Department. He added that the ordinance language also clarifies that the City of Mesa requires an alarm permit.

In response to a question from Committeemember Rawles, Commander Clore advised that the Alarm Awareness Class is offered free of charge. He explained that the Police Department encourages attendance as a means of reducing the number of repetitive false alarms.

Committeemember Rawles expressed support for staff's proposed changes.

Responding to a question from Acting Chairman Walters, Commander Clore clarified that individuals could proactively attend the Alarm Awareness Class and utilize the waiver for a first false alarm that may occur subsequent to participating in the class.

Committeemember Rawles suggested that the ordinance language be clarified to reflect the fact that the responsible party could attend the class proactively prior to a first false alarm or attend the class subsequent to the first false alarm, and that in both cases the responsible party could utilize the assessment fee waiver for the first false alarm.

It was moved by Committeemember Rawles, seconded by Acting Chairman Walters, that staff's recommendation for an ordinance addressing alarms, modified to include language in Section 3 (B), paragraph 1, that clarifies that the fee waiver is available for Alarm Awareness Class participants who attend prior to or subsequent to the occurrence of a first false alarm, be moved forward to the full Council for consideration with a recommendation for approval.

Upon tabulation of votes, it showed:

AYES - Rawles-Walters  
NAYS - None  
ABSTAIN - Jones

Acting Chairman Walters declared the motion carried unanimously by those voting.

Acting Chairman Walters yielded the gavel to Chairman Jones.

2. Hear a presentation and provide direction regarding charges for outside Police agencies utilizing the Police Shooting Range and the Police/Fire Training Facility.

Chief Donna advised that this agenda item addresses training costs for outside agency recruits attending the Mesa Police Academy and outside agencies utilizing the Police Department Firing Range. He introduced Commander Gil Otanez who is in charge of the training function and Fiscal Management Supervisor Lisa Andrews. Chief Donna noted that the Academy's current \$500 fee for each outside agency recruit covers the cost of materials, and that staff's proposal would increase the fee to \$2,500 per recruit.

Commander Otanez provided background on the process utilized to certify police officers in Arizona, and he explained that State Statutes charge the Arizona Peace Officer Standards and Training Board (AzPOST) with the responsibility for certification of police officers and officer training academies. He reported that AzPOST administers the Arizona Law Enforcement Academy (ALEA) at the Phoenix Police Department's training facility, and that the other Arizona training academies are located in Tucson (the Southern Arizona Law Enforcement Training Center operated by the City of Tucson Police Department) and Prescott (the Northern Arizona Recruit Training Academy operated by the City of Prescott Police Department). Commander Otanez advised that none of the other training academies charge a fee for recruit training.

Commander Otanez reported that training at the Mesa Firing Range began in 1964, and that the Police Training facility is presently conducting the 24<sup>th</sup> academy since operations began in 1994. He noted that the facility is also utilized for in-service training, citizens' police academies, regional public safety meetings and other public safety-related events.

Commander Otanez stated that one sergeant and five officers are assigned to the Firing Range, and he noted that in addition to serving as instructors, the officers are responsible for firearm repairs, maintenance and inspection. He reported that other agencies account for approximately 35 percent of the range use. He added that the outside agencies provide their own staffing, and that the only cost attributable to them is 35 percent of the target frames and 35 percent of the lead remediation expense for the berm. Commander Otanez noted that other agencies utilizing the firing range include the Scottsdale Police Department, the Special Weapons and Tactics (SWAT) teams from Chandler and Gilbert, Immigration and Customs Enforcement (ICE) and the Maricopa County Juvenile Probation Department. He advised that an existing Intergovernmental Agreement (IGA) with the City of Scottsdale provides an annual fee of \$50 per officer to be paid to the City of Mesa. He added that memorandums of understanding with no annual fee presently exist for other agencies, but staff recommends that the department negotiate IGA's that include an annual fee.

Commander Otanez stated that 45 recruits could be accommodated in each Training Academy class. He noted that Mesa receives a \$400 reimbursement from AzPOST for each Mesa recruit and each outside agency recruit who graduates from the Academy. Commander Otanez advised that Mesa charges \$500 for each outside agency recruit in order to cover the cost of materials only, resulting in a total reimbursement of \$900 per recruit. He reported that the current class includes seven Scottsdale recruits, and that Scottsdale is providing one training officer, or 25 percent of the staff. He explained that outside agency recruits are accommodated based on space availability. Commander Otanez also advised that staff is proposing the following alternatives: maintain the current fee structure and establish IGA's with outside agencies, or increase the fee structure which could be modified by staff based on the outside agency's training personnel contribution.

Discussion ensued relative to the fact that the training academies in Phoenix, Tucson and Prescott do not charge a fee; that AzPOST operates ALEA at the Phoenix training facility in conjunction with the Department of Public Safety (DPS) and the Phoenix Police Department; and that agencies which send recruits to ALEA or Tucson provide staffing for the program as requested.

Committeemember Walters expressed the opinion that on a statewide basis each agency should pay for the direct and indirect costs to train their police officers.

Further discussion ensued relative to the fact that Mesa recently received a grant to purchase a firearms training simulator based on the fact that training is provided to outside agency recruits; that other agencies are not likely to pay \$2,500 for recruit training that is available at no cost at other facilities; and that the only incremental cost to fill vacant academy spaces with outside agency recruits is covered by the \$500 fee.

Committeemember Rawles expressed the opinion that increasing the tuition to \$2,500 is not sensible from an economic standpoint due to the fact that the \$500 fee for materials is the only incremental cost for training outside agency recruits.

Committeemember Walters stated that the City of Mesa invested funds to construct and maintain the training facility, which is being utilized to train recruits from other jurisdictions. She noted that Mesa built the facility at a time when other training academies had insufficient space to accommodate Mesa recruits.

City Manager Mike Hutchinson advised that staff struggled to address the issue of training outside agency recruits, and he noted the importance of maintaining positive relationships with other public safety agencies. He suggested that a Committee recommendation to the Council to increase fees should also provide staff the flexibility to adjust fees when the outside agency contributes training personnel.

Additional discussion ensued regarding the fact that separate motions would be required to address each issue.

It was moved by Committeemember Rawles, seconded by Committeemember Walters, to recommend to the Council that an annual fee of \$50 per officer be implemented for outside agencies utilizing the Mesa Firing Range.

Chief Donna advised that the Police Department plans to enter into formal agreements with outside agencies that utilize the Mesa Firing Range.

Chairman Jones called for the vote.

Carried unanimously.

It was moved by Committeemember Walters to recommend to the Council that the Police Training Academy fee structure be maintained at the current level, except that future incremental direct costs for staff or staff time which are incurred as a result of training outside agency recruits would be assessed to the outside agency, or the outside agency would supplement training staff in lieu of paying the assessment.

Committeemember Rawles recommended that in addition to the incremental direct costs, increases in the cost of materials above the current level of \$500 should be charged to the outside agency.

Committeemember Walters offered an amendment to her motion to stipulate that an increase in the cost of materials above the current \$500 level would also be charged to the outside agency.

Committeemember Rawles seconded the motion, as amended.

Carried unanimously.

### 3. Adjournment.

Without objection, the Police Committee meeting adjourned at 4:05 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Police Committee meeting of the City of Mesa, Arizona, held on the 9<sup>th</sup> day of May 2005. 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

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Attachment

ATTACHMENT

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING TITLE 6, CHAPTER 15, SECTIONS 3 (E), 6 (A), AND 20 (B) OF THE MESA CITY CODE; PERTAINING TO ALARM BUSINESS DUTIES, ALARM USER PERMIT REQUIREMENTS, AND FALSE ALARMS; PENALTY ASSESSMENTS AND PERMIT REVOCATION.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That Title 6, Chapter 15, Section 3 (E) of the Mesa City Code is amended with the addition of a new paragraph #3 (with all subsequent paragraphs renumbered accordingly) as follows:

- (E) Upon monitoring an alarm system: (4111).
1. To establish a central receiving station in order to monitor, these alarm systems. (4111)
  2. To organize its central receiving station in order to be able to readily and positively identify the type of alarm, i.e., burglary, or robbery, and the location of the alarm if there is more than one (1) system. (4111)
  3. The central receiving station shall attempt to contact the alarmed location and/or the alarm user, and two (2) attempts shall be made either to different numbers or locations, by telephonic or other electronic means on every alarm signal - except that no attempts shall be required on a robbery/panic alarm activation - whether or not actual contact with a person is made, before requesting police response to an alarm system signal.
  - ~~3.~~ 4. To maintain current records as to each of these alarms or alarm systems, which shall include the alarm permit number, the name of the owner or occupant of the premises, the name and telephone number of the user or primary person and at least -one (1) alternate responsible for responding to the premises when the alarm is activated, and information concerning whether the alarm system includes an audible alarm. (4111)
  4. ~~5.~~ To make notification of activated alarm systems in the manner prescribed by the Coordinator, including the alarm permit number, suite or apartment number, and such other reasonable information concerning the alarm system as the Coordinator may request. (4111)

5. ~~6.~~ To arrange for either the alarm user, alarm agent, or other responsible representative to go to the premises of an activated alarm system in order to be available to assist the Police in determining the reason for activation and securing the premises. In no event shall there be unreasonable delay in arriving at the location of the alarm. (One [1] hour shall be deemed as reasonable.) If the Police depart the premises prior to the arrival of the user, alarm agent, or other responsible representative, then the user, alarm business, or proprietor may document their required response through telephonic notification of the Police Department upon their arrival at the location of the alarm signal. In the event this requirement is not met and the Police are unable to determine the reason for the activation, such activation shall be deemed a false alarm. (4111)

Section 2: That Title 6, Chapter 15, Section 6 (A) of the Mesa City Code is amended as follows:

- (A) Every alarm user shall apply for and receive an alarm permit from the Mesa Police Department. Application shall be made to the Mesa Police Department Alarm Unit for a permit within 30 days of the installation date of an alarm system. Users of alarm systems having both robbery/panic and burglary alarm capabilities shall obtain separate permits for each function. The application for an alarm user's permit shall be made on a form approved by the Alarm Coordinator and shall be accompanied by a ten-dollar (\$10.00) permit fee. All permits issued pursuant to this Section shall be for a period of one (1) year from the date of issue and shall be renewable annually, one (1) year from the original date of issue or renewal, as applicable, and subject to a ten dollar (\$10.00) permit renewal fee. An alarm user's permit shall be available within the premises protected by the alarm and shall be available for inspection by the Mesa Police Department. Permits are not transferable from one user to another user or from one address to another address. (4111)

Section 3: That Title 6, Chapter 15, Section 20 (B) of the Mesa City Code is amended as follows:

- (B) Any burglary alarm system ~~which that has more than two (2)~~ one recorded false alarms within a permit year shall be subject to penalty assessments as follows: (4111)

1. ~~If a third~~ On the first recorded false alarm within a permit year for any burglary alarm system is recorded, the Alarm Coordinator shall notify the alarm user by regular mail and direct that the user pay to the City a penalty assessment in the sum of fifty dollars (\$50.00) within sixty (60) days of the receipt of the notice of excessive false alarms. The initial assessment shall be waived upon successful completion of the City of Mesa Alarm Awareness Class. (4111)

2. If a ~~fourth~~ second false alarm within the same permit year for any burglary alarm system is recorded, the Coordinator shall notify the alarm user by regular

mail and direct the ~~the~~ user pay to the City a penalty assessment in the sum of one hundred dollars (\$100.00) within sixty (60) days of receipt of the notice of excessive false alarms. (4111)

3. If a ~~fifth~~ third false alarm within the same permit year for any burglary alarm system is recorded, the Coordinator shall notify the alarm user by regular mail and direct that the user pay to the City a penalty assessment in the sum of one hundred and fifty dollars (\$150.00) within sixty (60) days of receipt of the notice of excessive false alarms. (4111)

4. If a ~~sixth~~ fourth and/or subsequent false alarm within the same permit year for any burglary alarm system is recorded, the Coordinator shall notify the alarm user by regular mail and direct that the user pay to the City a penalty assessment in the sum of two hundred dollars (\$200.00) per occurrence within sixty (60) days of receipt of the notice of excessive false alarms. (4111)

5. If a fifth false alarm within the same permit year for any burglary alarm system is recorded, the Coordinator shall notify the alarm user by regular mail and direct that the user pay to the City a penalty assessment in the sum of two hundred fifty dollars (\$250.00) within sixty (60) days of receipt of the notice of excessive false alarms.

6. If a sixth false alarm within the same permit year for any burglary alarm system is recorded, the Coordinator shall notify the alarm user by regular mail and direct that the user pay to the City a penalty assessment in the sum of three hundred dollars (\$300.00) within sixty (60) days of receipt of the notice of excessive false alarms.

7. If a seventh false alarm within the same permit year for any burglary alarm system is recorded the Coordinator shall notify the alarm user by regular mail and direct that the user pay to the City a penalty assessment in the sum of four hundred dollars (\$400.00) within sixty (60) days of receipt of the notice of excessive false alarms. Any subsequent false alarms within the same permit year shall be assessed at the \$400.00 rate for each occurrence.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY,  
ARIZONA, THIS DAY OF , 2005.

APPROVED:

MAYOR

ATTEST:

CITY CLERK