

PUBLIC SAFETY COMMITTEE

June 12, 2007

The Public Safety Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on June 12, 2007 at 3:30 p.m.

COMMITTEE PRESENT

Mike Whalen, Chairperson
Kyle Jones
Tom Rawles

COUNCIL PRESENT

None

STAFF PRESENT

Christopher Brady
Alfred Smith

1. Items from citizens present.

There were no items from citizens present.

2. Hear a presentation and discuss the ISO ratings for the Fire Department.

Fire Chief Harry Beck introduced Assistant Fire Chief Gary Bradbury and Assistant Fire Chief Dan Stubbs, who were prepared to address the Committee relative to this item.

Chief Bradbury displayed a PowerPoint presentation (available for review in the City Clerk's Office) and provided a brief overview of the Insurance Services Office (ISO) Rating Program. He reported that the Public Protection Classification (PPC) 2007 rating class for the City of Mesa was lowered from 2/9 (awarded in 1983 and 1994) to 3/9. He explained that the ISO gathers information concerning municipal fire-protection services from more than 44,000 communities nationwide, analyzes the data, and assigns a rating between 1 and 10. Chief Bradbury stated that the rating is based on the following items: fire alarm and communication systems (911); Fire Department equipment, staffing, training and geographic distribution; and water supply system.

Chief Bradbury noted that ISO's review of the fire alarm and communications systems, which accounts for 10% of the total classification, addressed Mesa's facilities and support for the handling and dispatching of fire alarms. He stated that in 2007, the City received a credit of 9.65%. He advised that with regard to ISO's review of the Fire Department, which accounts for 50% of the total classification, the company focused on the department's first-alarm response and initial attack to minimize potential loss. Chief Bradbury stated that the items under consideration included engine companies, ladder or service companies, distribution of fire stations and fire companies, and equipment carried on apparatus. He commented that this year, Mesa received a credit of 31.65%. Chief Bradbury added that ISO's analysis of the water-supply system, which comprises 40% of the total classification, assessed the water supply that a community uses to determine the adequacy for fire-suppression purposes, hydrant size, type and installation, inspection frequency and the condition of the fire hydrants. He said that the City received a 2007 credit of 37.92% in this category.

Discussion ensued relative to the fact that ISO identified the need for 11 additional fire stations with engine company response capability; recommended that the Fire Department review and take action to improve the emergency power supply for all dispatch circuits and personnel training records (i.e., seminars, training courses, inspections, building pre-plans); and also recommended that fire hydrants be inspected twice a year (staff currently inspects fire hydrants on an every other year basis).

In response to a question from Chairman Whalen, Chief Stubbs clarified that the City's Water Department facilitates the inspection of fire hydrants in station areas 2, 3 and 5. He explained that this is due to Fire personnel's high call volume and service demands in those areas.

Chief Bradbury stated that the City should continue to take action to improve the response and deployment of emergency response resources and add additional fire stations and response units when funding becomes available. He added that the Fire Department would also review and take action to improve personnel training records and the emergency power supply for dispatch circuits.

Chief Bradbury displayed a map depicting those communities throughout the country that are identified as ISO Class 1 communities. He advised that Arizona has 6 Class 2 communities, 18 Class 3 and 58 Class 5.

In response to a question from Committeemember Jones, Chief Bradbury clarified that ISO identified several operational deficiencies for consideration. He said that upon reviewing the situation, staff determined that correction of such deficiencies would not raise Mesa's ISO rating. Chief Bradbury stated, however, that the addition of two or three fire stations would have raised the City's rating to a Class 2. He added that the lowering of the rating from 2/9 to 3/9 could result in increased insurance rate premiums for properties located in the City of Mesa.

Chief Beck added that the ISO ratings are provided as a service to insurance companies and said that individual companies may or may not use the ratings to establish their rates.

Chairman Whalen thanked staff for the presentation.

3. Hear a presentation and discuss the Photo Safety Program.

Police Chief George Gascon introduced Police Financial Services Manager Lisa Quedens, who was prepared to address the Committee regarding this issue.

Ms. Quedens displayed a PowerPoint presentation (available for review in the City Clerk's Office) and offered a brief historical overview of the Photo Safety Program. She reported that in January 2006, contracts were awarded to American Traffic Solutions (ATS) for the program; that March 2007 was the first full month of implementation of all 30 red light camera intersections and five photo radar vans; that the March implementation resulted in only two months of data that staff could analyze in order to forecast the program and review operational effectiveness; and that in late April/early May, staff determined that ATS overbilled the City by more than \$300,000 during the current budget year.

Ms. Quedens commented that staff intends to analyze Police and Court personnel costs to ensure that such charges to the Photo Safety Program are reflective of costs that were actually incurred. She also said that staff would work with the Court to analyze revenue timing and cited, by way of example, that citations generated today by ATS might not be identified by the

City as revenue for several months. Ms. Quedens added that staff would continue to work with the vendor to resolve billing discrepancies due to lease/financing payments.

Discussion ensued relative to the fact that the five photo radar vans were fully implemented in September 2006; that based on data received through April 2007, the number of citations is lower than originally anticipated; and that staff is projecting a \$452,000 loss annually with regard to the cost of the vehicles (i.e., personnel costs - \$388,000, vendor payments - \$208,500, and lease/finance payments - \$104,000).

Chief Gascon stated that whether the photo radar vans are deployed for revenue generation or as a public safety tool is a policy direction that must be made by the Council. He suggested that a possible option would be to deploy only one van at schools and those areas where there is sufficient data to warrant its operation. Chief Gascon explained that if staff were to proceed with such an option, personnel costs would be significantly reduced and the remaining four vans could be used by the Police Department in other areas such as crime scene investigations. He added that it would be difficult for the photo radar vans to become revenue neutral unless the City's philosophy was altered relative to their deployment.

Ms. Quedens concluded her presentation by commenting that staff would continue to review the financial and operational components of the Photo Safety Program, proactively work with the vendor to ensure the maximum effectiveness of the program, and provide further updates to the Committee pending receipt of additional monthly data. She also requested that staff be given 60 to 90 days in order to obtain such information.

City Manager Christopher Brady clarified that with regard to Ms. Queden's reference to the analysis of Police and Court personnel costs, staff might have attributed more personnel costs to the Photo Safety Program than necessary. He explained that staff intends to go back and identify when personnel did or did not work on the program. Mr. Brady also acknowledged the vendor's cooperation with regard to the billing discrepancy. He added that staff would continue to work with the vendor regarding the poor quality photos that were taken when the program first began and staff's inability to issue citations because of that fact.

Mr. Brady also commented that staff is "getting a handle" with regard to the true cost of the Photo Safety Program. He acknowledged, however, that the photo radar vans and the red light cameras have not generated the number of citations initially anticipated in order to cover the full cost of the program.

Further discussion ensued relative to the fact that from July 1st, 2006 to the end of May 2007, Mesa generated over 25,000 citations, but collected only 44% of the revenue for the citations; and that the Police Department is conducting a fleet analysis to determine whether some of the vans could be transferred to other functions.

Chairman Whalen commented that the primary goal of the Photo Safety Program has always been one of public safety and not revenue generation. He expressed concern regarding the possibility of using only one photo radar van for the purpose of citing speeding motorists and suggested that it might be appropriate to consider a district system to determine whether a Division Commander would have a need for the vans in school zones or residential neighborhoods. Chairman Whalen also requested that staff obtain information from ATS regarding the cost to install red light camera equipment at additional intersections and the ability to rotate the cameras and strobes to various locations.

Jim Tuton, President of ATS, addressed the Committee and responded to a series of inquiries. His comments included, but were not limited to, the following: that ATS would be willing to conduct a performance analysis of certain intersections to identify the speed factor, frequency, and volume of speed; that the photo radar cameras can be configured to enforce speed as well as red light violations; that only one speed-on-green intersection is currently operational and ATS must certify the remaining four sites; and that citations would not be issued to drivers until the sites are certified and a list is validated by the Police Department as to which five speed-on-green intersections would be activated.

Chief Gascon commented that it was his understanding that in April of this year the Police Department had directed that all five speed-on-green cameras be activated. He also reviewed the number of red light violations to date.

Committeemember Rawles requested that when staff makes future presentations to the Committee regarding the Photo Safety Program, that they provide information concerning the number of red light violations at the various intersections. He also commented that at a prior meeting when the Council approved the Photo Safety Program, a representation was made that the speed-on-green software could be moved to any of the 30 red light camera locations throughout the City.

Responding to Committeemember Rawles' comment, Mr. Tuton confirmed that pending certification by ATS that the speed-on-green software is capable of being loaded into the red light camera equipment, such modifications could be implemented.

Committeemember Rawles further requested that staff provide the Committee current data regarding the speed-on-green program and also what assumptions were made with regard to the number of citations that would be necessary in order to make the Photo Safety Program revenue neutral. He concurred with Chairman Whalen's statement that the primary objective of the Photo Safety Program has always been public safety. Committeemember Rawles encouraged staff to pursue the matter of obtaining a credit from ATS relative to the large number of poor quality photos that were taken when the program first began.

Chairman Whalen questioned whether it would be appropriate for ATS personnel to operate the photo radar vans as long as they remain under the direction of Mesa law enforcement personnel.

Committeemember Jones concurred with the comments of his fellow Committeemembers regarding this issue. He also stated that he would prefer that the red light cameras be placed at those intersections with a history of speeding motorists as opposed to locations that could generate substantial revenue.

Additional discussion ensued relative to staff's efforts to initiate a process to more carefully administer City contracts; the difficulties experienced by the Police Department in obtaining automobile accident statistics; and that Chief Gascon has reassigned personnel to assume various duties and responsibilities relative to the Photo Safety Program.

Committeemember Rawles acknowledged Chief Gascon's efforts and hard work with regard to the complicated nature of the Photo Safety Program.

Chairman Whalen thanked staff for the presentation.

4. Hear a presentation and discuss the new Municipal Court Building.

City Engineer Beth Huning introduced Senior Civil Engineer Gordon Haws and Dick Shiffer, a principal with RNL Design, who were prepared to address the Committee relative to this agenda item.

Mr. Haws displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office) and offered a brief overview of the \$37.5 million Municipal Court Building project, which is located at the northeast corner of 1st Avenue and Pomeroy. He explained that in April of this year, 15% of the plans for the project were submitted and reviewed by staff; that the Downtown Development Committee (DDC) approved the plans with stipulations; that the first preliminary code review was completed in May; that 30% plans are due this month; that the plans would be finalized by November 2007; that the contract for construction would be presented to the Council in December 2007; and that construction is scheduled to commence in February 2008.

Mr. Haws referred to a series of drawings depicting the Municipal Court Building site plan and the floor plans for the first, second and third floors. (See Attachments 1, 2 and 3.) He noted that the project would be attractively landscaped and said that staff would work with the City Landscape Architect, the DDC and Town Center staff to ensure that the landscaping is appropriate and inviting to the public.

Mr. Shiffer displayed elevation views of the project from 1st Avenue and also from Pomeroy. (See Attachment 4.)

Mr. Haws highlighted various components of the project such as 10 courtrooms (8 fully furnished with 2 shelled out), jury assembly and deliberation rooms, Customer Service and Collections areas, Court staff and administration offices, City Prosecutor's Office space, in-custody defendant staging and holding areas, staff and public parking, and landscaping.

Mr. Haws reported that staff would continue to engage in ongoing design discussions with regard to the following issues: 1.) Whether three in-custody arraignment courtrooms would be constructed in the new Court building or the existing Court building; 2.) That two of the 10 courtrooms would be "shelled out," but must be equipped and furnished in the future; 3.) That the DDC approved the project with stipulations such as modifying the color scheme of the building and adding additional relief to the exterior architecture; 4.) The square footage of the building was allocated before the initiation of community-based prosecution within the City. (It may be necessary to augment the City Prosecutor's Office when the Court building is expanded to 12 courtrooms); and 5.) Long-term office space needs for the City Prosecutor's Office (absent the issue of community-based prosecution).

City Manager Christopher Brady stated that an issue was recently brought to his attention that there is a need for two separate lunchrooms in the Court building. He explained that in order to accommodate the request, the architectural drawings were modified to include a second lunchroom in the City Prosecutor's area, thereby eliminating space for two future offices.

Presiding City Magistrate Matt Tafoya expressed a series of concerns regarding the potential appearance of impropriety if staff from the City Prosecutor's Office and the Court shared the same lunchroom.

Committeemember Rawles referred to the floor plan of the third floor and questioned why space was assigned to specific job categories that do not exist in the Court's current structure.

Court Administrator Paul Thomas clarified that the area in question is currently planned for use as a law library until such time as Court expansion becomes necessary.

Mr. Brady suggested that staff remove the specific job categories from the floor plan that were referenced by Committeemember Rawles.

Committeemember Rawles also questioned why the plans include separate bathrooms in each of the magistrates' chambers. He stated that while it may be appropriate for the magistrates to have access to bathrooms that are separate from the public, in his opinion, the proposed design is not an appropriate use of space.

Further discussion ensued relative to the necessity of isolating the magistrates from the public and Court staff to maintain judicial integrity; that the design of the private bathrooms is included as a component of the magistrates' chambers and would not require additional space; that staff would continue to consider various options with regard to this matter; and various security components incorporated into the design of the Court building.

Chairman Whalen expressed appreciation for the presentation.

5. Adjournment.

Without objection, the Public Safety Committee meeting adjourned at 5:15 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Public Safety Committee meeting of the City of Mesa, Arizona, held on the 12th day of June 2007. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK