

# COUNCIL MINUTES

November 2, 2006

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on November 2, 2006 at 7:30 a.m.

## COUNCIL PRESENT

Vice Mayor Claudia Walters  
Rex Griswold  
Kyle Jones  
Tom Rawles  
Mike Whalen

## COUNCIL ABSENT

Mayor Keno Hawker  
Scott Somers

## OFFICERS PRESENT

Christopher Brady  
Debbie Spinner  
Barbara Jones

Vice Mayor Claudia Walters excused Mayor Hawker and Councilmember Somers from the entire meeting.

### 1. Review items on the agenda for the November 6, 2006 Regular Council meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflicts of interest declared: 8a (Whalen)

Items removed from the consent agenda: 6a and 9a

Items added to the consent agenda: 8m and 9l

### 2. Hear a presentation and provide direction on a new Fire Prevention fee model as recommended by the Fire Committee.

Fire Chief Harry Beck addressed the Council and noted that at a previous meeting the Fire Department was directed to develop a fire prevention model that included a cost recovery component. He stated that following extensive research, staff presented a plan to the Fire Committee on October 16, 2006. He advised that the Committee recommended that the plan move forward for Council consideration, with certain adjustments to the plan based on input from the Committee. Chief Beck introduced Assistant Chief Cliff Puckett and Deputy Chief Bob Horn from the Fire Prevention Division.

Chief Puckett stated that the model is designed to enhance the City's Fire Prevention services and improve the level of security provided to the community. He displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office) that outlined the services to be provided and the method of cost recovery. Chief Puckett reviewed the current and proposed staffing levels and the corresponding costs. He advised that the current staffing level

enables the Fire Department to conduct annual inspections of 32 percent of the City's high and medium-risk businesses. He reported that the additional revenue generated by the cost-recovery proposal could fund the proposed increased staffing level, which would include nine inspectors, two supervisors, two administrative support positions and two part-time Finance/Accounting positions.

Chief Puckett advised that staff's definition of a high-risk business is one that has a higher than average probability of a fire or other emergency based on factors that include the following:

- The type of business.
- The quantity and type of materials stored and utilized on the premises.
- The processes performed.
- Occupancy.
- Size and complexity of the structure.

Chief Puckett cited the following as examples of high-risk businesses: areas where a large number of people assemble; adult and child care facilities; woodworking businesses; spray finishing businesses; semiconductor manufacturers; hospitals; large retailers (greater than 50,000 square feet in size); and high rise structures. He noted that 1,000 of the 2,000 high-risk businesses receive an annual inspection and that the proposed program would implement annual inspections of all high-risk businesses.

Chief Puckett advised that medium-risk businesses are those that have an average probability of a fire or other emergency based on the same factors as listed above for high-risk businesses. He said that examples of medium-risk businesses include areas where people assemble that do not have a high risk, such as educational facilities, hotels, apartments, and business locations consisting of 12,000 to 50,000 square feet. He stated that 600 of the 3,000 medium-risk businesses are currently inspected each year and that the proposed model would enable 1,500 to be inspected annually.

Chief Puckett defined low-risk locations as having a below average risk of injury or death to occupants resulting from a fire or other emergency, and he added that the sites do not store or utilize hazardous chemicals. He said that examples of low-risk businesses include convenience stores, sandwich shops, banks, and businesses that are less than 12,000 square feet in size. Chief Puckett advised that low-risk businesses are not "inspected," but that contact is made through the "Partners in Prevention" Program, which utilizes a self-inspection form. He reported that currently 4,500 of the City's 9,000 low-risk businesses are contacted on an annual basis and that staff is proposing to provide the self-inspection form to all 9,000 businesses each year.

Chief Puckett summarized the proposed inspection fees and associated revenues as follows:

Fire Safety Operational Permit fee (\$15 x 14,000)	\$ 210,000
High-Risk Inspection fee (\$250 x 2,000)	500,000
Additional fee for High-Risk facilities over 12,000 square feet (\$200 x 750)	150,000
Medium Risk Inspection fee (\$150 x 1,500)	225,000
Follow-Up Inspection fee (\$50 x 700)	35,000
 Total Estimated Revenue	 \$1,120,000

Chief Puckett explained that the completed Fire Safety Operational Permit form would provide the Fire Department with current emergency contact information and confirm the type of business activity conducted at the site. He added that although other cities do not have a full cost recovery fee for fire inspection activities, businesses in neighboring cities are required to purchase an annual business license, which the City of Mesa does not require. Chief Puckett stated that the proposal does not waive fees for businesses that are required to install sprinkler systems, but businesses that install and maintain a sprinkler system that is not required would receive a fee waiver. He said that businesses would receive only one bill on an annual basis, unless a re-inspection is required which would incur an additional fee to the business. Chief Puckett said that upon Council approval of the proposal, the Fire Department's education process would include sending letters to businesses, involving the media in the information process and holding stakeholder meetings.

Councilmember Griswold, Chairman of the Fire Committee, expressed support for the proposal and stated the opinion that the program would benefit the community.

Councilmember Rawles also expressed support for the program and complimented staff for being innovative in their approach.

In response to a question from Councilmember Rawles, Chief Puckett clarified that no fee is proposed for a second inspection, but an additional fee would be charged when a third inspection is required by Fire Prevention staff to address violations identified at the original inspection that were not corrected at the time of the second inspection.

Discussion ensued relative to the fact that a resolution to adopt the fees would be presented to the Council for approval; that staff would review alternatives to consolidate the billing process with other areas; that private firms inspect the fire suppression systems in high-risk and medium-risk businesses; and that businesses with fire suppression systems are required to provide an inspection certificate in order to secure insurance.

Vice Mayor Walters explained that the proposed model was developed in order to determine an alternative method to finance City fire prevention services. She complimented City staff and the Fire Committee for the proposed cost recovery model they presented, and she expressed the opinion that the proposed fees are commensurate with the services to be provided.

Chief Beck said that this proposal represents an effort to improve the City's fire prevention service levels that have not kept pace with recent increases in population. He noted that although the Fire Department has enforcement ability, the primary goal is to increase the level of safety within the community.

Vice Mayor Walters stated that the Council has provided direction on the proposal, and she thanked staff for the presentation.

3. Hear a presentation on the Homeland Security Grant Program.

Chief Beck reported that the Fire Department's Emergency Management Division has been extremely active in addressing both local and regional security issues. He stated that a major challenge of the Division is the management of the grant process. He advised that the majority of grants are funded by the Federal government through the State to a series of regional

committees that decide on the allocation of funds. He introduced Assistant Fire Chief Gil Damiani and Police Lieutenant Tony Lythgoe to provide information on the program.

Chief Damiani displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office) that outlined the grant process, which emphasizes regional planning and coordination. He also identified the following grant funding sources available from the Federal Homeland Security Department:

- State Homeland Security Grant Program (SHSGP)
- Urban Area Security Initiative (UASI)
- Metropolitan Mobile Response Systems (MMRS)
- Law Enforcement Terrorism Prevention Program (LETPP)

Chief Damiani outlined the composition of the regional councils and subcommittees that evaluate the proposals and allocate the grant funds. He reported that in the past five years, the City of Mesa received \$12.8 million in grant awards in support of the City's preparations for a major disaster. Chief Damiani explained that \$7.6 million in grant fund expenditures to date purchased equipment and trained officers to utilize the equipment, leaving a balance of \$5.2 million, which is earmarked for specific projects.

In response to a request from Councilmember Rawles, Chief Damiani stated that staff would provide information on the total amount of Homeland Security grant funding allocated to the Maricopa County region and the amount allocated on a national basis. He noted that the grant dollar amounts are diminishing.

Lieutenant Lythgoe responded to a question from Councilmember Rawles by advising that funding allocation for the recent City of Mesa purchase of a command vehicle was approved by the UASI Steering Committee.

Discussion ensued relative to the fact that this type of grant funding cannot be utilized to hire full-time employees; that Homeland Security grants must address the costs to purchase equipment and to conduct training; that certain grants may allow for overtime, consultant fees, planning and administrative expenses; that past grants were not of a competitive nature, but future grants will be awarded on a competitive basis; and that a UASI Steering Committee determines the type of equipment to be purchased and a subcommittee determines which agency will receive the grant for that purpose.

City Manager Christopher Brady advised that all areas of the country address Homeland Security grants on a regional basis. He noted that the equipment purchased with the grants is available to the City for use on a daily basis.

Lieutenant Lythgoe provided background information on the command vehicle recently approved by the Council for purchase with grant funding. He displayed preliminary drawings of the vehicle (copies are available for review in the City Clerk's Office), and he explained that although the vehicle is available for daily use within the City of Mesa, an event in the region would have priority. He advised that the City of Mesa has two Rapid Response Teams, each of which includes a fire and a police component, and that one of the teams would be assigned to regional service during a major event and the other would remain in the City of Mesa.

Lieutenant Lythgoe stated that the City's existing command vehicle is approximately ten years old, and he outlined some of the features of the new command vehicle as listed below:

- Conference Room (with monitors that provide views from the outside mast-mounted camera and access to television news broadcasts)
- Command Center (including five workstations equipped with computers, monitors and telephones)
- Lavatory/Galley Section
- Interoperable Communications
- TracStar Satellite Dish (to receive and transmit data)
- Receiver (enables access to national broadcasts)
- Outside Workstation (with a computer, telephone and voice radio)
- Remote Controlled Camera (with color/infrared capability)
- Remote Controlled Scene Lighting

Further discussion ensued relative to the fact that a command vehicle is a valuable tool when addressing a major incident; that the Town of Gilbert and the City of Glendale have similar vehicles; that the existing City of Mesa vehicle would be maintained for local use; and that during the past year, the existing command vehicle was utilized at the scene of approximately 100 fires and at the scene of 34 homicides.

In response to concerns expressed by Councilmember Rawles regarding daily use of the command vehicle, Chief Beck advised that incorporating the vehicle into day-to-day operations ensures that the department will be able to effectively utilize the vehicle when a major event does occur.

Police Chief George Gascon added that a command vehicle is also utilized for special events and training of officers. He noted that training of first responders to a major incident has been lacking in the past few years. Chief Gascon noted that a recent training exercise addressed possible incidents that could occur at a Mesa Public School.

Councilmember Rawles stated the opinion that the local uses cited for the vehicle have little or nothing to do with "homeland security" and that the funding provided by Federal Homeland Security grants is unrelated to the "war on terror."

Vice Mayor Walters noted the importance of training Police and Fire first responders in preparation for a major event that everyone hopes will never occur.

In response to a question from Vice Mayor Walters, Mr. Lythgoe stated that the specifications included a requirement that the vehicle be able to function for a minimum of 20 years.

Chief Gascon reported that similar vehicles in Los Angeles have been in service for more than 20 years.

Responding to a request from Vice Mayor Walters that staff provide the Police Committee with a report on the communication problems that existed during the recent arrest of the "serial shooters," Chief Gascon explained that Mesa effectively planned to address the communications issues, but that other agencies in the Valley failed to plan properly.

Councilmember Whalen and Councilmember Griswold expressed support for the Homeland Security grants that will enable training and provide a command vehicle to the City of Mesa.

Councilmember Rawles stated the opinion that the \$800,000 allocated for the command vehicle could be better utilized to improve radio communications between Valley agencies. He added that although he objected to the expenditure as a matter of principle, he recognized that it is difficult for a local government to refuse the grant funding.

Vice Mayor Walters thanked staff for the presentation.

4. Acknowledge receipt of minutes of various boards and committees.

- a. Finance Committee meeting held on October 12, 2006
- b. Fire Committee meeting held on October 16, 2006

It was moved by Councilmember Rawles, seconded by Councilmember Griswold, that receipt of the above-listed minutes be acknowledged.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Rawles-Walters-Whalen  
NAYS – None  
ABSENT – Hawker-Somers

Vice Mayor Walters declared the motion carried unanimously by those present.

5. Hear reports on meetings and/or conferences attended.

There were no reports on meetings and/or conferences attended.

6. Scheduling of meetings and general information.

City Manager Christopher Brady stated that the meeting schedule is as follows:

Monday, November 6, 2006, TBA – Study Session

Monday, November 6, 2006, 5:45 p.m. – Regular Council Meeting

Vice Mayor Walters noted that an Executive Session immediately following this Study Session would address an issue on which she previously declared a potential conflict of interest. She stated that she would refrain from discussion/participation regarding that agenda item.

7. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the Study Session adjourned at 9:39 a.m.

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KENO HAWKER, MAYOR

ATTEST:

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BARBARA JONES, 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 2nd day of November 2006. 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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