



COUNCIL MINUTES

May 3, 2021

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 May 3, 2021, at 4:46 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

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

1. Review and discuss items on the agenda for the May 3, 2021, Regular Council meeting.

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

Conflict of interest: None

Items removed from the consent agenda: None

In response to a question from Vice Mayor Duff regarding Item 4-b, **(Dollar-Limit Increase to the Term Contract for Flooring Products and Services for the Parks, Recreation, and Community Facilities Department, (Citywide))**, on the May 3, 2021, Regular Council meeting agenda, Parks, Recreation, and Community Facilities Director Andrea Moore advised the one-time increase is for the third year and is specifically related to replacing the flooring at the Mesa Art Center.

City Manager Christopher Brady added due to the closures, the decision was made to accelerate the flooring work needed in the Ikeda and Piper Theaters.

In response to a question posed by Vice Mayor Duff regarding whether there was a call for vendors, Ms. Moore stated the increase is for the entire master agreement, which covers multiple vendors, and staff is in the process of soliciting both material and installation bids. She reported the seating is also being replaced.

In response to a question from Vice Mayor Duff regarding Item 4-d, **(Purchase of Three Rapidly Deployable Camera System Kits (Additions) for the Mesa Police Department (Sole**

Source) (Citywide)), on the May 3, 2021, Regular Council meeting agenda, Assistant City Manager John Pombier indicated the camera system kits will not have the ability to do facial recognition or license plate recognition at this time.

Vice Mayor Duff pointed out the camera system kits utilized within District 2 at Pioneer Park and on Alma School and Main have had great success in reducing crime.

Mr. Brady indicated the platform cameras Vice Mayor Duff is referring to, which are a different type of camera, are discussed under Item 4-e.

Police Commander Aaron Spicer explained the camera system kits are deployable and can be moved from place to place. He commented the cameras will be used to lessen the need for a police response for large-scale events such as the Phoenix Marathon.

Mr. Brady remarked the cameras are tied to the regional partners that do special events and are encrypted so only Public Safety can view them. He mentioned because the cameras are used across the region, the federal government is providing the funds for purchase. He clarified the cameras will connect to an existing system and will be deployable for high-volume events at the time of the event.

In response to a question from Vice Mayor Duff regarding what experience Mesa has had in using the camera system, Commander Spicer reported the system is able to deploy the cameras into areas needing population management and piping the feed directly into the Command Center.

2-a. Hear a presentation, discuss, and provide direction on the Mesa Municipal Court budget.

Presiding City Magistrate John Tatz introduced Court Administrator Shawn Haught and displayed a PowerPoint presentation. **(See Attachment 1)**

Mr. Haught explained the year-end actuals are a point of reference and the additional columns are looking forward at current and future expenses. He commented court operations include costs to fund the courtroom, employee-related expenses for the judges and the courtroom staff, legal research, subscriptions and education materials, jury summons, credit card merchant fees, and court transcript fees. He stated business operations is for the expenses outside the courtroom, such as administrative staff, customer service, process service, and shredding fees. He added while Mesa Municipal Court does collect court fees, fines, and restitution, the main role is to administer and deliver justice. He outlined the sources of revenue for Court and Business Operations. (See Page 3 of Attachment 1)

Mr. Haught presented the significant changes for Fiscal Year (FY) 21/22 which consist of updating the conference system for telephonic hearings, reconfiguring to create a socially distanced courtroom, implementing the Fines/Fees and Restitution Enforcement (FARE) Program, as well as increasing the Defensive Driving School fee. (See Page 4 of Attachment 1)

Mr. Haught stated the FARE Program is a statewide initiative that was created by the judicial branch to assist Arizona courts in the collection of court-ordered fees. He indicated the program is a partnership between the Administrative Offices of the Courts, the Motor Vehicle Division (MVD), the Arizona Department of Revenue, a private vendor, and once in effect will also partner with the Arizona Lottery. He reported approximately 125,000 backlogged cases that owe more than \$50 were referred to FARE. He added going forward if a fee, fine, or restitution is 30 days past due, three attempts will be made to contact the individual and at that point will be referred to

FARE. He explained the process once the case has been turned over to FARE, adding that if there is no response the person could be prevented from renewing their vehicle registration from MVD or having the program intercept lottery winnings of more than \$600. (See Page 5 of Attachment 1)

Judge Tatz stated if a citizen receives a speeding ticket or moving violation, the Defensive Driving School is an option to avoid points going on your driving record. He indicated increasing the fee from \$120 to \$130 will generate an additional \$10,000 per month. (See Page 6 of Attachment 1)

Judge Tatz remarked that in March and April 2020 Community Court cases fell due to the pandemic. He pointed out the spike in June 2020 is when Mesa PD began the Off the Streets Program. He shared to graduate from Community Court the individual needs to prove they have successfully turned their situation around. He provided the Community Court graduate numbers. (See Pages 7 and 8 of Attachment 1)

Judge Tatz discussed the performance measure for abandoned calls, web users, interactive voice response, and time to disposition. He mentioned while the target is not being met for web users, the interactive voice response numbers reflect that people are going to their phone for assistance rather than the web. (See Page 9 of Attachment 1)

In response to a series of questions from Vice Mayor Duff, Judge Tatz stated the Court recognizes there are situations that prevent payment, and no one will be put in jail for failure to pay. He added payment contracts are available to anyone who asks. He remarked after internal collection efforts fail, the case will be turned over to FARE; if a good-faith effort is made to pay the fine, the case can come back to Mesa Municipal Court to avoid the extra costs. He mentioned State statute allows community restitution, previously called community service, to work off the fine and he hopes to bring that back to Mesa. He reminded Council that two new navigators were recently approved for Community Court and will work through Community Bridges to begin outreach and remind individuals of their court dates which will increase the graduation rate.

In response to a question posed by Councilmember Spilsbury regarding the reason the community restitution program is not available, Judge Tatz explained the program has not been used for some time, but now that the Court is back to full staff, implementation of the program can move forward.

In response to a question from Councilmember Heredia regarding the FARE Program, Judge Tatz clarified the program is run through a third-party collection agency. He mentioned the delinquent cases are not turned over for collection until the initial internal collection efforts have been exhausted. He remarked even after the case goes to the FARE program, if an individual makes payment to the Court, the collection can be reverted back to the Court to avoid the collection fees.

Mr. Haught advised after 30 days of delinquency and no contact, the Court will make three more attempts to make contact before referring the case to the FARE program.

In response to a question from Mayor Giles regarding the shredding portion of the Court expenses when the Court is paperless, Judge Tatz provided the example that calendars are printed because not every staff member is assigned a laptop or iPad, as well as police reports and citations that are shredded. He agreed the case management system is paperless.

Vice Mayor Duff encouraged implementing a domestic violence court as well.

Mayor Giles thanked staff for the presentation.

2-b. Hear a presentation, discuss, and provide direction on the Code Compliance budget.

Police Lieutenant Ryan Russell introduced Senior Fiscal Analyst Chase Carlile, who displayed a PowerPoint presentation. **(See Attachment 2)**

Lt. Russell highlighted the current budget, adding due to the vacancy savings Code Compliance was able to operate under budget. He remarked by hiring two new code officers and promoting another, those vacancies have been filled. He reported the two areas that generated the budget increase under the other services category were the cost of using an outside process server and the increased number of hearings. (See Page 2 of Attachment 2)

Lt. Russell pointed out some of the challenges and successes in Code Compliance. He stated the voluntary compliance rate is at 62%, although he would prefer to increase that number, and the Team Up to Clean Up projects are at 92% compliance. He reported voluntary compliance increases when individuals are contacted and offered resources. He commented during COVID notices of violation were mailed and civil hearings were held telephonically. He said while the hope is to get back to the customer service model of having face-to-face contact soon, telephonic hearings proved to be an effective model and will continue. He explained revenues increased because many old liens were paid off this year due to the strong real estate market. He discussed working with a group to develop an updated version of the violation letter to influence the compliance rates. (See Page 3 of Attachment 2)

In response to a question from Councilmember Luna regarding the updated violation letter, Lt. Russell indicated the verbiage was changed and made clearer regarding the consequences and how to contact Code Compliance. He added he will come back to Council to share the data collected on whether the new violation letter influences behaviors.

In response to several questions asked by Mayor Giles, Lt. Russell clarified there were a total of 2,000 citations issued last year which equates to an approximate 20% increase. He remarked the increase was partially due to the fact that communication was limited. He explained that code officers have started gathering emails as another communication method to increase the compliance rate.

In response to a question posed by Vice Mayor Duff regarding whether a citation always results in a fine, Lt. Russell confirmed the goal is compliance and when a resident fixes the issue the citation will be dismissed. He added if there is no contact or communication and the concern is not addressed, then a fine will be assessed. He emphasized residents first receive a mailed notice of violation and the notice of inspection on their door. He indicated there is currently no money set aside within the budget to provide assistance to residents who do not have the money to comply. He mentioned another byproduct of COVID was the groups of volunteers who would help clean up properties and are no longer available. He said neighborhood beautification projects are chosen by evaluating specific areas and seeking input from neighborhood outreach and Council based on priority.

In response to a question from Councilmember Freeman in regard to whether there is any funding available to assist with Code Compliance service projects, Mr. Brady indicated he is unsure what the City could provide to private property owners.

Lt. Russell clarified Community Development Block Grant (CDBG) dollars are available but are not part of the Code budget, and a citizen in need would have to be referred to the Housing Department for assistance.

Deputy City Manager Natalie Lewis explained the rehab budget within the Housing Department gets spent quickly and pointed out this year that budget was doubled because of the need.

Further discussion ensued relative to citation fines and available dollars to help low-income residents with code violations.

Councilmember Thompson mentioned Make a Difference Day and the opportunities of putting volunteers together for situations where someone needs help. He challenged Lt. Russell to reach out to the volunteer pool in Mesa to connect with individuals needing assistance.

Lt. Russell stated the Team up to Clean Up program is a partnership between Solid Waste and several other departments. He highlighted 2,300 properties in all districts have been cleaned up with over 90% compliance rate. He added over 200 tons of debris is anticipated to be removed by the end of the year. (See Page 4 of Attachment 2)

Lt. Russell shared before and after photographs of the Team Up to Clean Up and illegal dump clean-up projects. He said property owners have been asked to reinvest the equity in their property. (See Pages 5 through 10 of Attachment 2)

Lt. Russell presented the impacts to the budget consist of increased civil hearing fees, increased service fees; however, revenues have increased as well. (See Page 11 of Attachment 2)

Lt. Russell explained two years ago roughly 81% of the code complaints were from citizens. He commented after Council approved additional staff to do proactive engagement, code enforcement now generates roughly 30% of the workload internally and the citizen response is roughly 65% of the cases. (See Page 14 of Attachment 2)

Responding to a question from Councilmember Spilsbury, Lt. Russell clarified "Other Services" is made up of process server and civil hearings expenses, as well as fleet costs. He agreed the increases in the number of citations resulting in an increase in civil hearings can be partially attributed to COVID.

Mr. Brady elaborated residents became more aware of the condition of their neighborhoods during COVID which generated the increase in citations.

In response to a series of questions from Councilmember Heredia, Lt. Russell stated that currently Code Compliance has 16 employees, 13 code officers and two supervisors. He reported the beats that the code officers work are sufficient and certain areas of the city need more code compliance than others.

Mayor Giles thanked staff for the presentation.

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

3-a. Community and Cultural Development Committee meeting held on March 11, 2021.

It was moved by Vice Mayor Duff, seconded by Councilmember Spilsbury, that receipt of the above-listed minutes be acknowledged.

Upon tabulation of votes, it showed:

AYES – Giles–Duff-Freeman-Heredia-Luna-Spilsbury-Thompson
NAYS – None

Carried unanimously.

4. Current events summary including meetings and conferences attended.

Mayor Giles –	East Valley AAPI community event
Councilmember Luna –	HELO meeting Boeing STEM signing day We Run Mesa program – Eagles Park
Councilmember Freeman –	Arizona Congressional District 5 annual art competition Aloha Island Market May Day celebration
Councilmember Spilsbury –	Electric and Gas Utility systems tour Old federal building tour

Vice Mayor Duff and Councilmember Luna toured the Emergency Rental and Utility Assistance Program.

Councilmember Luna encouraged visiting the Arizona Museum of Natural History this summer to view the dinosaur exhibition.

5. Scheduling of meetings.

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

Thursday, May 6, 2021, 7:30 a.m. – Study Session

Thursday, May 6, 2021, 8:00 a.m. – Audit, Finance and Enterprise Committee meeting

6. Adjournment.

Without objection, the Study Session adjourned at 5:49 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 3rd day of May 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

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(Attachments - 2)