

COUNCIL MINUTES

May 18, 2017

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 18, 2017 at 7:30 a.m.

COUNCIL PRESENT

John Giles
Mark Freeman
Christopher Glover
Kevin Thompson
Jeremy Whittaker*

COUNCIL ABSENT

David Luna
Ryan Winkle

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

(*Councilmember Whittaker participated in the meeting through the use of telephonic equipment.)

Mayor Giles excused Vice Mayor Luna and Councilmember Winkle from the entire meeting.

1. Overview of the disciplinary process for a Councilmember, including Sections 206 and 207 of the City Charter, and consideration of Councilmember Winkle's request for a voluntary suspension.

Mayor Giles stated that Councilmember Winkle's Driving Under the Influence (DUI) has raised suspicion, concerns, and questions. He added that he would like to take this opportunity to inform the Council and public the process since there have been allegations of Councilmember misconduct. He commented that Councilmember Winkle has voluntarily suspended his Council service and added that he endorses the voluntary suspension.

Mayor Giles asked for patience during the process, that the Council is taking the issue seriously and will follow the City Charter. He noted that in light of the voluntary suspension no action will be taken today nor will he take public comment. He assured the public that if the disciplinary issue progresses, public comment will occur at a future date.

City Attorney Jim Smith stated that Charter Sections 206 and 207 sets out a process for disciplinary action for Councilmembers. He explained that there is a two-step process; charges are brought by a hearing before the Council and then a disciplinary hearing is held as set forth in Section 207. He further explained that the hearing is broken down in Section 206, and Council has a number of options as well as grounds for discipline within the subsections. He pointed out that Section 207 states that Council is the judge of the fitness of its members and Council will make that determination.

Mr. Smith explained that Councilmember Winkle's voluntary suspension does not limit Council's future ability to take action under Section 206 or 207 and that the absences of Councilmember

Winkle needs to be addressed whether they are excused or not. He added that Councilmember Winkle has been provided a document, embodying the concepts subject to direction by Council on excusing the absences.

It was the consensus of the Council that Councilmember Winkle's voluntary suspension be classified as excused absences.

2. Review items on the agenda for the May 22, 2017 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: 4-l

Items deleted from the agenda: 4-h

Interim Police Chief Michael Dvorak introduced Police Commander Michael Beaton, and Police Fiscal Manager Krisa York who displayed a PowerPoint presentation **(See Attachment 1)** and discussed item 4-l **(Three-Year Term Contract for Private Jail Services for the Police Department)** on the Regular Council Meeting agenda.

Chief Dvorak explained that currently in custody misdemeanor offenders who are arrested by Mesa Police Officers are held in the Mesa Police holding facility until initial arraignment before a City Magistrate. He stated that offenders that are to be kept in custody are then transported by detention staff to the Maricopa County Sheriff's Office (MCSO) located in Phoenix. He added that the City is charged booking and housing fees by MCSO for those misdemeanor prisoners.

Chief Dvorak displayed the current challenges as follows (See Page 2 of Attachment 1):

- Multiple daily transports to MCSO
- Consistent delays in the booking process
- Frequent medical refusals
- Increased costs for booking and housing inmates

Chief Dvorak explained that the project goals are to reduce costs associated with the booking and housing of misdemeanor offenders and improve operational efficiency by reducing transport time. He added that reducing transport time allows the detention staff to work in the holding facility or assist with providing prisoner transport service to officers. He pointed out that the additional assistance allows patrol officers to stay in assigned areas. (See Page 3 of Attachment 1)

Commander Beaton remarked that the CoreCivic Facility in Florence will be used as a jail facility not as a prison facility. He emphasized that the prisoners stay in the facility short-term for an average of six to ten days. He commented that the juvenile procedures will remain the same and they will not be housed at this facility. (See Page 4 of Attachment 1)

Commander Beaton displayed a chart of housing duration days at MCSO which are the days that a defendant is ordered to serve and that 46% of sentencing days were nine days or less and 76% of sentencing days were 29 days or less. (See Page 5 of Attachment 1)

Commander Beaton stated that he and several Councilmembers visited the CoreCivic Florence Correctional Center as well as the MCSO facility. He stressed that the site visit to CoreCivic was to ensure that the City inmates were to receive comparable or better treatment than at MCSO. He expressed the opinion that the CoreCivic facility was comparable.

Commander Beaton reviewed the history of CoreCivic and highlighted the Florence facility stating that the Mesa inmates will be housed sight and sound separate from other prisoners with 160 beds for male and 80 beds for female inmates as well as a separate outdoor recreation area. He added that bilingual employees are available for non-English speaking inmates as well as a language line that is available for translations, as needed. (See Pages 7 and 8 of Attachment 1)

Commander Beaton listed the following terms of the CoreCivic Contract (See Page 9 of Attachment 1):

- Agreement is for a three-year term
- Term may be renewed for one, two-year period
- Termination by either party for any reason or no reason, with sixty days written notice from the terminating party mailed to the other party

Commander Beaton reviewed specific areas of the contract and highlighted the following (See Pages 11 through 13 of Attachment 1):

- Transportation
- Rehabilitative Services
- Medical
- Visitation
- Right of Inspection
- Records

In response to a question posed by Councilmember Thompson, Commander Beaton replied that MCSO offers some of the rehabilitative services that CoreCivic offers but that he is unable to provide a comparison of those services.

In response to a question posed by Councilmember Freeman, Commander Beaton remarked that misdemeanor and felony prisoners are mixed at the MCSO facility, however, at intake the inmates at the Mesa facility will be separated out for transportation to the corresponding facilities.

In response to a question from Mayor Giles, Commander Beaton stated that CoreCivic has onsite medical services and CoreCivic had no concern on assisting prisoners with medical issues. He pointed out that MCSO has denied prisoners due to medical issues and the City has had to transport the inmate to a hospital for medical clearance prior to the prisoners return to the MCSO facility.

Chief Dvorak explained that CoreCivic is required to have 24-hour on site medical services, in addition, the facility has multiple contracts with surrounding hospitals. He further explained that there is a provision that states when a large medical concern arises, the facility will consult with a department liaison regarding a release to receive medical attention.

Mayor Giles requested a representative from CoreCivic come forward and be available to respond to questions.

Commander Beaton introduced Carlos Melendez, Managing Director of CoreCivic.

In response to a question posed by Mayor Giles, Mr. Melendez responded that for the misdemeanor population, CoreCivic will not move the prisoner to the Florence facility until after the first arraignment and that typically medical care is handled prior to the first arraignment. He added that any medical care prior to the first arraignment would not be CoreCivic's responsibility, however, any medical care needed moving forward will be provided by CoreCivic.

Councilmember Freeman explained an interaction with a nurse at the CoreCivic facility specific to the process of an inmate in need of medical treatment. He stated the opinion that at the Florence facility, medical staff is capable of handling a variety of medical issues.

Chief Dvorak commented that a medical questionnaire is completed with the suspect after arrival at the Mesa holding facility to determine any medical needs. He stated that the Police Department will transport the prisoner to a hospital for clearance or Mesa Fire and Medical will provide assistance.

In response to questions posed by Councilmember Whittaker, Mr. Melendez replied that CoreCivic has several jail contracts within the United States and is unaware of contracts being terminated due to mismanagement and cost overruns. He said that he is unable to comment on any pending lawsuits as it is not his area of expertise. He stated that he does not have the information available regarding deaths at the Florence facility, however, will provide information to the Council. He explained that CoreCivic's profits are based on economies of scale. He noted that he is unable to provide the number of registered lobbyists at CoreCivic.

Mayor Giles requested that CoreCivic provide information regarding the number of deaths at the Eloy and Florence facilities, as well as a comparison of incidents specific to misdemeanors within the jail facilities.

In response to a question from Councilmember Thompson, Commander Beaton stated that misdemeanor offenses include domestic violence, disorderly conduct, and shoplifting. He noted that misdemeanors are lower level crimes with a maximum allowable sentencing under state law of six months.

Ms. York displayed a four-year pricing comparison from FY 2014/15 through projected FY 2017/18. She pointed out that for FY 2017/18, if the CoreCivic contract is approved, there would be a projection of approximately \$2 million in savings for the Police Department. She clarified that the numbers include the \$35,000 monthly transportation fee and the highest monthly housing rate of \$67.96. (See Page 14 of Attachment 1)

Discussion ensued relative to the number of prisoners being sent to jail for profit, lobbyist donations with potential influence, and working with MCSO for comparable services.

Mayor Giles requested that Presiding City Magistrate Judge J. Matias Tafuya attend the May 22, 2017 Council meeting to speak about diversion programs for reduction of jail time.

Commander Beaton highlighted the American Correctional Association (ACA) that provides standards and inspections for CoreCivic at the Florence facility and that the facility has passed the accreditation with a 99% compliance. (See Page 15 of Attachment 1)

Chief Dvorak clarified that the average number of inmates housed is a conservative number; that the number has been under 200 several times; and that the booking of inmates has decreased over the last three years.

In response to a question posed by Mayor Giles, Commander Beaton clarified that ACA is a voluntary accreditation and MCSO does not have the accreditation.

Councilmember Glover requested that the Police Department provide information regarding the number of deaths at MCSO and that the information be presented at the May 22, 2017 Council meeting.

In response to questions from Councilmember Glover, Chief Dvorak responded that currently the Police Department does not have rights to inspect MCSO. He added that the Police Department has a great working relationship with MCSO on an operational level.

In response to a question posed by Mayor Giles, Chief Dvorak replied that the Request for Proposals (RFP) were sent out back in 2012.

Heather Hamel, representing Justice at Works, stated that deaths at the Eloy facility can be found through a Google search. She remarked that Federal Immigration is investigating the Eloy facility due to having the most deaths in the Country. She added that the Eloy facility has a high rate of sexual assault which is not uncharacteristic of similar facilities across the Country. She reviewed the Arizona Department of Corrections (ADOC) cost report and reported that over a three-year period the state overpaid private jail facilities by approximately \$10 million. She noted that the Office of Inspector General reported that private jail facilities are less safe, have high sexual assault rates, high turnover of staff, and minimal pay. She urged Council to look at the Eloy and Red Rock facilities and encouraged them to oppose privatization of jails.

Gilbert Romero, representing Living United for Change in Arizona (LUCHA), requested that Council oppose the privatization of jails. He expressed concern regarding the treatment of prisoners as well as medical concerns among all CoreCivic facilities. He added that privatization of jails will increase problems versus saving money.

Carolyn O'Conner, a Mesa resident, stated that she has four concerns with private prisons as follows:

- Safety
- Cost
- Accountability
- Ethics/values

Ms. O'Conner noted that private prisons make their money by winning contracts. She added that private jail facilities cut costs by paying minimal salaries, have minimal staff training, and poor benefits. She commented that cutting costs produces a difficult work environment and generally makes a facility unsafe for staff, inmates, and the community. She indicated that for-profit jail staff members are currently being investigated, arrested, charged, and convicted of criminal acts such as; smuggling drugs, sexual assault, and accepting bribes. She remarked that in 2000, a prison gang was discovered effectively running the Florence facility, as monitors reported a lack of security, widespread drug smuggling, assaults, and rioting. She concluded that Mesa is known for strong family values and asked Council if this is what they want.

Dianne Post, representing National Lawyers Guild, stated that for-profit prisons are:

- Inefficient – cost more
- Ineffective – fewer programs, high recidivism, and poor medical treatment
- Immoral

Ms. Post added that the corporation has perverse incentives which include numerous lobbyists to obtain the contracts. She stated that a comment was made that other lobbyist work on other contracts which is true, however, jail and criminal justice is a different issue since government is the only agency that has the power to take away someone's freedom and place them in jail which is not the same as building a sewer line or staffing a transportation company. She emphasized that it is the duty of government and that government should not turn that responsibility over to a for-profit corporation.

Jay Gittrich, a Mesa resident, remarked that he believes the CoreCivic bid is too low and that the City will incur additional costs in the future which they are not anticipating. He pointed out that the City is short on officers and contracting with a private prison is a bad solution.

Beth Houck, a Mesa resident, stated that the City takes pride in talking with constituents and community groups and is concerned that no one had talked with the defense attorney community. She added that State Statute only allows prisoners 12 hours for work release and the Florence facility is a one hour commute. She emphasized concern that the City is looking for comparable or better treatment, however, the City has not looked into the comparable rehabilitation services at MCSO. She stated the opinion that the City has not calculated the cost for oversight and accountability.

Mayor Giles requested Commander Beaton provide information regarding work release at the Florence facility for the May 22, 2017 Council meeting.

Caroline Isaacs, representing American Friends Service Committee, commented that the Committee has been looking at the for-profit prison industry in Arizona for over 15 years. She pointed out that she has provided Council information on various issues related to the proposed contract and can provide additional background information upon request. **(See Attachment 2)** She added that of the 46 contracts that CoreCivic has nationwide, five contracts are for jails and CoreCivic is in the process of losing two of the five contracts. She stated the opinion that CoreCivic has a poor track record in all of the areas that have been outlined in the proposed contract, transportation in particular and implores Council to look into it. She pointed out that CoreCivic owns a subsidiary called Transcorp that has had serious problems and the document provided to Council speaks to those issues including unsafe conditions, inmates dying in their custody during transport, escapes, sexual assault, accidents, and crashes. She added that CoreCivic does not track down escaped inmates and the cost comes back to the City.

Orlando Green-Bush, a Mesa resident, stated that he is neutral on the issue of jail privatization. He highlighted an article from the Huffington Post from September 20, 2013 regarding a State of Arizona contract with an Arizona private prison and subsequent issues that arose from the contract. He asked Council to verify that there are no required prisoner quotas and that the corporation is accountable for the private prison. He added that the City needs to evaluate what it needs to do to put more officers on the streets, increase administrative staff and funding in order to avoid contracting with a private jail.

J.J. Johnson, President of Black Phoenix Institute, stated that he is opposed to jail privatization in all cases. He stated the opinion that the Arizona State Retirement System (ASRS) is opaque as to what they are invested in and believes that ASRS is invested in CoreCivic in the Mid-Cap Funds and feels that this would be a conflict of interest. He remarked that when the City is sued for an incident involving a prisoner that is in CoreCivic's custody the City will be responsible, not Maricopa County. He commented that CoreCivic is in the process of rebranding due to pending lawsuits and urges Council to contact the Idaho Department of Corrections to ask why they no longer contract with CoreCivic. He concluded by saying that he would like to know how deep the ASRS plan is invested in CoreCivic.

Mayor Giles commented that ASRS is separate from the Public Safety Personnel Retirement System (PSPRS) and both are appointed separate boards and that the City is unable to provide information on the investments.

Dave Wells, a Mesa resident, asked Council to contact the municipalities mentioned earlier, to verify the reason for the termination of the contracts with CoreCivic. He asked if the inspections of CoreCivic would be unannounced, since announced inspections enable a business to prepare to be compliant. He additionally requested that Council explore expanding the diversion programs.

Mayor Giles thanked staff for the presentation.

3-a. Hear a presentation and discuss an update of the Downtown Mesa Association.

Executive Director David Short introduced Board Chair Alisa Petterson who displayed a PowerPoint presentation (**See Attachment 3**) related to an update of the Downtown Mesa Association (DMA).

Mr. Short reported that the DMA has provided enhanced services for 31 years and was the first business improvement district in Arizona which represents 475 property owners and 400 businesses. (See Page 2 of Attachment 3)

Mr. Short displayed the following four main duties of the DMA (See Page 4 of Attachment 3):

- Public Space Maintenance
- Parking Management
- Marketing and Promotion
- Events

Mr. Short stated that maintenance is the main duty of the DMA. He pointed out that maintenance consists of a 4-person crew, managing over 5,000 hours of community service workers, 16 lots, and approximately 10,000 permits.

Mr. Short commented that marketing and promotion is the smallest portion of the budget for the DMA, however, they are using the funds to promote the rebranding initiative and the new logo design. (See Page 5 of Attachment 3)

Mr. Short highlighted that the DMA has reached over \$4 million through digital campaigns and continues to build social media to promote the DMA. He added that the DMA has reached out to over 8 million people digitally as well as having 181,179 website views. He pointed out that the DMA continues with the traditional print materials for promotion such as downtown brochures,

sculpture and dining guides, posters, and flyers, in addition to advertising campaigns in magazines and the City of Mesa's utility bills. (See Pages 6 through 10 of Attachment 3)

Mr. Short stated that the DMA runs the banner program along Main and Center that includes the hometown hero's banners. He noted that the DMA updates all kiosks, runs a downtown dollars and gift card program, and operates a search web tool on available downtown properties. (See Pages 11 through 14 of Attachment 3)

Mr. Short reported that over the last six years the DMA has built up the event schedule that was requested by Council and the Community and noted that the majority of events are self-sustaining. (See Pages 15 through 17 of Attachment 3)

Ms. Petterson displayed the DMA budget showing the decrease in the department's budget from 2008 to 2017, however, DMA is maintaining the same level of services with less funding. She stated that the DMA appreciates the continued partnership with the City and is committed to providing excellence in services as downtown grows and becomes a more vibrant destination. (See Pages 18 and 19 of Attachment 3)

In response to a question posed by Councilmember Glover, Mr. Short replied that the DMA has discussed marketing options which include Visit Mesa by combining all of the marketing resources in Mesa for an overall marketing campaign.

In response to a question from Councilmember Freeman, Mr. Short responded that the DMA is always looking at ways to be more efficient and open to suggestions.

Mr. Short added that the DMA partnered with the City of Mesa and Community Bridges on the Downtown Navigator that provides services to the homeless.

Mayor Giles thanked Mr. Short and Ms. Petterson for the presentation as well as DMA's contribution to the City of Mesa.

3-b. Hear a presentation, discuss and provide direction on the City's Sign Code project.

Project Manager Angelica Guevara introduced Zoning Administrator Gordon Sheffield who displayed a PowerPoint presentation (**See Attachment 4**) related to the City's Sign Code project.

Ms. Guevara reported that the two objectives for the sign code update are to comply with the Reed v. Town of Gilbert U.S. Supreme Court case and to modernize the current sign code which was last updated in 1986. (See Page 3 of Attachment 4)

Ms. Guevara detailed the Reed v. Town of Gilbert court case that took effect in June 2015, which required sign regulations not be based on a sign's content or message and required the City to comply. She added that an update of the entire sign code is necessary. (See Page 4 of Attachment 4)

Ms. Guevara listed the following revisions to the sign code as a result of the court case (See Page 5 of Attachment 4):

- Sign classifications may not be based on message type
- Sign allowances may not show preference to one type of speech
- Revisions are required to portable sign regulations

- Revised portable sign regulations are based on sign form, materials, and location context
- Revised portable sign regulations will not limit message
- Standardize sign areas

Ms. Guevara stated that the philosophy used to determine portable sign allowance is to classify sign form, location and context of placement, and set standards. (See Page 6 of Attachment 4)

Ms. Guevara described the six portable sign allowed types as attached rigid, detached rigid, yard, detached banners, wall banners, and A-frame or T-frame. She explained how to determine portable sign allowances. (See Pages 7 through 9 of Attachment 4)

Ms. Guevara explained that fabric signs for commercial and industrial districts are only allowed up to 30 days per year with regulations and without a special event license. She stated that with a special event license, a fabric sign would be allowed in all districts during the specific days of the special event. (See Page 10 of Attachment 4)

Ms. Guevara listed the potential effects of changes for portable signs (See Page 11 of Attachment 4):

- Possible increase in number of portable signs being used
- Maximums changing compared to proposed form-based classification

In response to a question posed by Mayor Giles, Ms. Guevara clarified that currently the sign code does not allow signs to be placed in the right-of-way and will remain in the sign code.

Ms. Guevara reviewed the sign code update objective and the permanent sign changes. (See Pages 12 and 13 of Attachment 4)

In response to a question posed by Councilmember Freeman, Ms. Guevara responded that the Administrative Sign Plan would be processed by staff and no public hearing by the Board of Adjustment would be required, however, the staff review time would be 4-6 weeks.

Discussion ensued relative to the process of signs and Board of Adjustment involvement.

Ms. Guevara mentioned that the department has been reaching out to stakeholders for feedback, in addition she reviewed the comment and staff recommendations. (See Pages 14 through 16 of Attachment 4)

In response to a question posed by Councilmember Freeman, Ms. Guevara responded that fabric signs displayed beyond the allowable timeframe and without a special permit are prohibited.

City Manager Christopher Brady stated that as a result of the court case the current code could not be enforced, however, once the sign code is updated, enforcement would commence.

Discussion ensued relative to fabric sign enforcement, use, and allowed number of days.

Ms. Guevara presented the tentative timeline for the Planning and Zoning Board and the City Council. (See Page 17 of Attachment 4)

Mayor Giles thanked staff for the presentation.

4. Information pertaining to the current Job Order Contracting projects.

(This item was not discussed by the Council.)

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

Councilmember Thompson: American Public Gas Association (APGA) Conference and National Police Week

Mayor Giles: Whitman Elementary Eagle Scout Project

6. Scheduling of meetings and general information.

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

Monday, May 22, 2017, 5:15 p.m. – Study Session

Monday, May 22, 2017, 5:45 p.m. – Regular Council Meeting

7. Convene an Executive Session.

It was moved by Councilmember Glover, seconded by Councilmember Thompson, that the Study Session adjourn at 9:30 a.m. and the Council enter into an Executive Session.

Mayor Giles declared the motion carried unanimously by those present.

- 7-a. Discussion or consultation for legal advice with the City Attorney. (A.R.S. §38-431.03A (3)) Discussion or consultation with the City Attorney in order to consider the City's position and instruct the City Attorney regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A(4))

1. *Simpson v. City of Mesa, et al.*, CV-13-01354-PHX-DLR

8. Adjournment.

Without objection, the Study Session adjourned at 10:04 a.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 18th day of May, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

js
(Attachments – 4)

JAIL SERVICES CONTRACT

Presentation to the Mesa City Council
Thursday May 18, 2017

CURRENT CHALLENGES

- Multiple daily transports to Phoenix
- Consistent delays in the booking process at 4th Ave (often several hours per group of prisoners transported)
- Frequent medical refusals for various reasons
- Increased costs for booking & housing inmates



PROJECT GOALS

- Reduce costs associated with the booking and housing of misdemeanor offenders
- Improve operational efficiency by reducing transport time

MESA INMATES

Jail

- Only Misdemeanor Inmates will be housed at this facility
- Misdemeanor Inmates are those charged with Misdemeanor crimes which by Arizona Statute will not exceed a maximum sentence of 6 months
- The average time for misdemeanor detention is 6-10 days

Juveniles

- Juveniles will not be taken to this facility
- Current Juvenile Detention Procedures will remain the same

HOUSING DURATION

MESA MUNICIPAL COURT REPORT JAIL DURATION DAYS 4/27/2016 THROUGH 4/26/2017

Duration Days	# of Defendants	Percentage
1 to 9 Days	618	46%
10-19 Days	259	19%
20-29 Days	152	11%
30-39 Days	101	7%
40-49 Days	72	5%
50-99 Days	120	9%
100-180	27	2%
TOTALS	1349	100%

Duration Days - These are the days that a defendant is ordered to serve upon conviction after suspended days and credit for time served days are removed.

SITE VISITS

- Recent site visit to the CoreCivic Florence Correctional Center
- Recent site visit to the Maricopa County 4th Ave Jail and Intake Facility



CORECIVIC

- Oldest privatized jail company in the United States with over 29 years experience
- Currently operates 61 correctional facilities with approx. 90,000 beds
- Largest CoreCivic facility is located in Florence, AZ
- Contracting entities include 17 states (including Arizona), the District of Columbia, 3 Federal agencies, the US Virgin Islands, Puerto Rico and 8 local governments

FLORENCE FACILITY

Florence Detention Center

- 1,966 beds
- 350 employees
- Full time Medical/Dental Center
- City of Mesa inmates will be housed sight and sound separate from other prisoners

Language

- Bilingual employees are available for Non-English speaking persons
- Language line also available for translations, as necessary

CONTRACT

- This Agreement is for a three (3) year term
- On the mutual written agreement of the Parties, the Term may be renewed for one (1) two (2) year period
- This Agreement may be terminated by either party for any reason or no reason, with sixty (60) days written notice from the terminating party mailed to the other party

CONTRACT HIGHLIGHTS

Transportation

- CoreCivic will provide transportation to and from their facility
- Three transports per day Monday through Thursday
- One transport per day Friday through Sunday
- Five additional transports per month can be requested at an additional fee
- The City's transportation fee is a separate fixed monthly cost

CONTRACT HIGHLIGHTS

Rehabilitative Services

- Access is provided to all services offered at this facility
- Services offered will be dependent on the amount of time served
 - Prisoners would not be able to start GED or adult education if they were only there for 2 days
- Services include, but are not limited to: GED, ABE (Adult Basic Education), Substance Abuse, Behavior Modification (Anger Management), Library, Law Library, various religious services

CONTRACT HIGHLIGHTS

Medical

- Medical, Dental and Psychological services available
- 24 hour on site services
- Contract with multiple surrounding hospitals to provide services, if necessary
- CoreCivic will be responsible for medical costs for all inmates while in their care

Visitation

- Can be conducted in person or by video from a Mesa location

CONTRACT HIGHLIGHTS

Right of Inspection

- Mesa Police/City of Mesa can inspect the CoreCivic Facility at any reasonable time
- Mesa Police Department will conduct weekly inspections for first six months of the contract
- Monthly inspections for duration of contract

Records

- Mesa Police will have access to CoreCivic inmate database from the Mesa Holding Facility
- Ability to track all inmate records in real-time

PRICING COMPARISON – 4 YEAR

Fiscal Year	Monthly Avg # of Inmates	Monthly Avg. # of Inmates	Monthly Avg # of Inmates	CCA Combined			Net MCSO		Estimated Savings
	Booked	Booked/day	Housed	Avg # of Inmates	Housed/Day	Housing and Transport Charges	Housing and Booking Billing		
2014-2015	340	11.2	846		191.4	\$ 5,168,950	\$ 6,454,413	\$	1,285,463
2015-2016	319	10.5	801		170.1	\$ 4,651,417	\$ 6,123,944	\$	1,472,527
2016-2017 (Estimated)	276	9.1	678		133.9	\$ 3,735,395	\$ 5,204,245	\$	1,468,851
2017-2018 (Projected)	276	9.1	678		133.9	\$ 3,735,395	\$ 5,811,267	\$	2,075,872

(Based on CoreCivic Daily Housing Rate of \$67.96 + Monthly Transportation Fee of \$35,000)

STANDARDS AND INSPECTIONS

American Correctional Association- Accreditation organization that provides standards and inspections for CoreCivic Florence.

- CoreCivic passed their accreditation with a 99% compliance rate.
- ACA Example standards-

4-ALDF-4a-07

- The Facilities dietary allowances are reviewed at least annually by a qualified nutritionist or dietician to ensure that they meet the nationally recommended dietary allowances for basic nutrition for appropriate age groups. Menu Evaluations are conducted at least quarterly by food service supervisory staff to verify adherence to established basic daily servings.

4-ALDF-1A-16

- All inmate rooms provide the occupants with access to natural light by means of at least three square feet of transparent glazing plus two additional square feet of transparent glazing per inmate in room with three or more inmates.

4-ALDF-5C-02

- Inmates have opportunities to participate in leisure time activities outside their respective cell or room on a daily basis.

- ACA standards available for review-394 pages of standards provided

THANK YOU

Questions?

CoreCivic (formerly CCA) and Jail Privatization

May 15, 2017

Management of City/County jails is a very small segment of CoreCivic's business. Of the 47 facilities they own and/or manage, only five are jails. ***Two of the five are proposed or in the process of contract cancellation:*** The Washington, DC jail and the Marion County Jail in Indiana.

The DC jail is currently being transitioned back to public management after a series of problems in the facilities led to a damning report by the Washington Lawyers Committee for Civil Rights and Urban Affairs. The report cited several serious issues, including:

- **"Alarming" Physical Conditions:** Numerous violations of established correctional and public health standards, as well as structural and mechanical problems that are "serious to extremely serious."
- **Overcharging:** District's compensation to CCA was 31% higher than CCA's reported average, at least as of 2014. During that year, CCA reported an operating margin of 29.7%.
- **Inadequate training for staff¹**

Last month, the Mayor of Marion, Indiana, announced plans to cancel a contract with CoreCivic for management of the County jail.² The main reason cited was cost savings. Despite CoreCivic's claims that it can operate facilities more cheaply, the Mayor's administration estimates that ***eliminating the private contract would save \$16.5 million a year*** — money that would help pay for the new criminal justice center projected to cost up to \$575 million.

The decision came after a series of **drug overdoses in the jail caused by serious problems with contraband**. A local news station began documenting potential heroin overdoses of inmates in September of 2016.³ One source indicated that drug trafficking exploded inside the jail in the aftermath of a hiring blitz this summer as turnover plagued the site. In October of 2016, Sheriff's deputies conducted a raid on the facility to try to contain the problem.

The other jails managed by CoreCivic have had their share of problems as well:

- A woman with mental illness died in the Davidson County Detention Facility in Nashville, TN after numerous altercations with guards resulted in serious injuries to her neck and back and blood oozing from her ear. Her death was ruled a **homicide**, but no CoreCivic staff were ever prosecuted.⁴
- A CoreCivic jail in Chatanooga, TN was slapped with a **federal lawsuit** in 2014 for shackling a pregnant woman while she gave birth.⁵

¹ http://www.washlaw.org/pdf/conditions_of_confinement_report.PDF

² "Hogsett's proposed jail would end private contract," *Indy Star*, 4/4/17

³ "Marion County Jail II undergoes security changes after sheriffs raid," *Fox 59 Indianapolis*, 10/19/16

⁴ "Inmate slaying in CCA custody torments ex-cellmate," *The Tennessean*, 8/1/08

⁵ "Silverdale jail faces federal lawsuit for shackling inmate while she gave birth," *WRCB*, 3/14/14

There are several potential reasons for the relative scarcity of jail contracts under management of for-profit companies like CoreCivic:

1. **Jail populations are volatile and chaotic.** Individuals booked into jail arrive in a variety of mental and physical states. They may be actively high on drugs or detoxing, experiencing acute symptoms of mental illness, injured, and/or traumatized. This creates a volatile population that is very difficult to manage without extensive training and adequate staffing.
2. **Jail populations include women.** According to the Arizona Supreme Court, in February 2017, women made up about 20% of sentenced inmates in the Maricopa County jail and around 12% pretrial jail inmates.⁶ Currently, female inmates in Maricopa County are held in a separate jail facility. CoreCivic's proposal would house them in one unit within a larger facility that is mostly populated with men.
3. **Higher Costs:** Both of the above factors mean that jail costs can be higher, and therefore less attractive to for-profit companies. Generally, corporations like CoreCivic prefer not to house women because they have higher health care costs. Frequently, these companies will stipulate in their prison contracts that they will not accept inmates with violent histories, acute mental illness, or chronic health conditions. Providing services like drug treatment, medical care, and mental health assistance add to the cost of contracts. Likewise, the need for specialized training for staff in recognizing mental illness, de-escalation techniques, and other needed skills make these types of contracts unattractive to for-profit operators.

Given that CoreCivic is the nation's largest private corrections company, the fact that so few of their contracts are for jail management should be cause for concern. Even more alarming is the fact that two of their five existing jail contracts are being terminated for serious infractions.

The people of Mesa deserve better than to be subject to a dangerous experiment for the sake of promised cost savings.

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⁶ "Criminal Justice System Monthly Performance Report," February 2017, Maricopa County Criminal Justice System.

Issues Related to For-Profit Inmate Transportation

May 17, 2017

According to the Mesa Police Department, CoreCivic (formerly CCA) has promised to provide a wide range of services if they were to be awarded a contract, including transporting inmates between Mesa courts and the proposed facility in either Florence or Eloy. The corporation has pledged that Transport personnel will make 3 runs to the Valley each day and transport prisoners to their facility as well as return current prisoners for municipal court Monday-Friday.

CoreCivic operates a subsidiary called TransCorAmerica which provides prisoner and detainee transportation to government clients at the federal, state, and county levels. It is one of the three major players in the private detention transportation industry along with Prisoner Transportation Services (PTS) and GeoTransport (a subsidiary of the GeoGroup, CoreCivic's main competitor).

All three companies, like their parent companies, have dismal track records of escapes, crashes, even deaths of detainees while being transported.

1. **Unsafe Conditions.** In 2016, the Marshall Project reviewed thousands of court documents, federal records and local news articles and interviews with more than 50 current or former guards and executives regarding the private prisoner transport industry. Their resulting expose revealed a pattern of prisoner abuse and neglect, including four deaths since 2012.

“In one case, a Mississippi man complained of pain for a day and a half before dying from an ulcer. In another, a Kentucky woman suffered a fatal withdrawal from anti-anxiety medication. And in another, guards mocked a prisoner’s pain before he, too, died from a perforated ulcer.”¹

These vans do not have prisoner beds, toilets or medical services. Violent felons are mixed with first-time suspects. A plexiglass divider is usually the only thing separating women from men.

2. **Escapes.** Transcor and other private transport companies have histories of escaped prisoners fleeing vans and sometimes evading capture for several days. A review of dozens of local news accounts shows that since 2000, at least 56 prisoners were reported to have escaped from for-profit extradition vehicles. At least 16 were reported to have committed new crimes while on the run.²
3. **Sexual Assault.** Women are a vulnerable population in any correctional setting, but prison transport appears to be an area in which a high number of abuses takes place. Transcor has had at least five such incidents in the last ten years, several resulting in costly lawsuits.
4. **Accidents and Crashes.** Private transport vehicles have had a number of traffic accidents over the years as well, opening up the contracting agency to legal liability. The Marshall Project reports that there have been more than 50 crashes involving private extradition vehicles since 2000. In almost every instance, the prisoners were shackled but not wearing seatbelts, leaving

¹ “Inside the deadly world of private prisoner transport,” The Marshall Project, 7/6/16
<https://www.themarshallproject.org/2016/07/06/inside-the-deadly-world-of-private-prisoner-transport#.rUWnrifb7>

² IBID

them unable to brace themselves. There are some indications that the drivers did not get enough rest, possibly because the company wanted to cut corners and required them to arrive at their destination as quickly as possible.

5. **Oversight Lacking.** Extradition companies are not required to report escapes to federal regulators, and there is no centralized tracking. The Department of Transportation is responsible for monitoring vehicle and driver safety under the same regulations that govern all passenger carriers. However, the Marshall Project's review of Department of Transportation records shows that the agency's monitoring is infrequent, and companies are typically given advance notice of an audit. Between 2000 and 2015, records indicate, the department issued fines 20 times, most below \$10,000.

The distance between Mesa and Florence/Eloy presents numerous risks for these kinds of problems occurring under the proposed contract with CoreCivic. Using any private company for transport would not be in the public's best interest considering these companies have a history of mistreating detainees.

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Inherent Risks in Proposed Mesa Jail Privatization

Presented to Mesa City Council Study Session, April 6, 2017

There are a number of serious risks to which the City may be exposed if it moves ahead with jail privatization. As you well know, this would be the first privately operated jail in the state of Arizona. Nationally, jails are the least-often privatized type of correctional facility and there is little data available on their cost effectiveness or performance. Taking this unprecedented step would place the City in the position of testing the waters on a number of fronts, taking on a host of new liabilities in the process.

1. **Litigation.** CoreCivic has been the subject of literally hundreds of lawsuits over the years of its operation—*over 800 suits between 1995 and 2006*. A lawsuit filed in Tennessee forced then-CCA to release information on lawsuits that the company settled related to just the facilities located in that state. The records revealed 32 settlements and 2 judgements between 2002-2007. Between 2007-2014 there were another 31 lawsuits over just two prisons and two jails in TN operated by CoreCivic. The settlements in those cases resulted in a *total of over \$2 billion*.
2. **CoreCivic's Poor Performance.** It is critical that the City do the 'due diligence' on this particular private operator. Just a basic Google search would reveal clear patterns of problems in just the areas that the City has highlighted as the reason for the RFP:
 - a. **Transport Services:** TransCor, CoreCivic's prisoner transportation subsidiary, has a history of escapes, prisoner abuse (particularly sexual assault), traffic accidents, and lawsuits over poor conditions and even wrongful deaths. In the case of escapes, TransCor employees are not trained or authorized to pursue escapees, putting that burden on local or state law enforcement.
 - b. **Medical Care:** One of the reasons stated by Mesa Police for the request to privatize the jail is "frequent medical refusals for various reasons" on the part of MCSO. However, CoreCivic has a longstanding and costly track record of medical neglect and denial of services for inmates, particularly in jails where individuals may suffer from drug withdrawal symptoms or untreated mental illness.
 - c. **Staffing issues:** One of the places where CoreCivic consistently cuts corners is in staff pay and training. This leads to high rates of turnover, consistent staff vacancies, and a relatively new and inexperienced staff. These issues are frequently at the core of problems with inmate assaults and disturbances, escapes, and abuse. Just last month, Trowdale Turner Correctional Center in Hartsville was forced to stop accepting new inmates after just four months of operation. Staffing shortages had created a situation where, according to a memo obtained by the Associated Press, "the guards were not in control of the housing units, were not counting inmates correctly and were putting inmates in solitary confinement for no documented reason."
3. **Corporate Volatility.** As a for-profit, publicly traded corporation, CoreCivic is accountable to its shareholders as much as to government agencies or the public at large. Recent events and the current unstable political climate have caused stock prices for CoreCivic and other private prison companies to vacillate wildly, causing concern among shareholders. A growing public concern about the unethical nature of for-profit incarceration, combined with poor performance audits and investigations in other states and jurisdictions have led to this company losing contracts or being denied new ones. This may affect their pricing, performance, and competitiveness.

4. **Contract Obligations:** Other Cities and jurisdictions have discovered that there are additional constraints that have prevented them from cancelling contracts with CoreCivic, even when the company's performance was clearly in violation with contract requirements. The most common example is cost overruns and increases in per diem charges beyond what was originally promised or agreed to. CoreCivic has essentially offered cost savings to the City of Mesa that is tied to the number of people in the jail. This not only poses ethical questions about incentivizing higher levels of incarceration, but also raises concern that the City could be stuck with an extremely expensive obligation even if crime rates are lowered, alternative programs are pursued, or other factors lead to a reduction in the number of inmates. In the case of its contracts with the State of Arizona, CoreCivic insists on a guaranteed occupancy for each of its facilities. If the number of inmates falls below this number, the state is still obligated to pay the full amount.

A related issue is the ability of the City to terminate a contract if CoreCivic does not deliver on its promises or is found in violation of the contract terms. Other jurisdictions have been forced to continue or renew contracts even after serious problems have surfaced, generally because they have no other options to house offenders.

A serious examination of the background of this vendor, the true and hidden costs inherent in these types of relationships, and other possible cost saving measures such as those being utilized in other municipalities and in Maricopa, Coconino, and Pima Counties may yield greater cost savings while doing more to ensure public safety.

AFSC would be happy to provide any of the background data, media articles, or studies referenced here or that speak to these issues in general.

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Staffing Issues Related to Proposed Jail Privatization

May 15, 2017

According to the Mesa Police Department, CoreCivic (formerly CCA) has promised to provide a wide range of services if they were to be awarded a contract, including:

- Book and house pre-and post-adjudicated misdemeanor prisoners at their existing Florence or Eloy, Arizona facilities
- CCA Transport personnel will make 3 runs to the Valley each day and transport prisoners to their facility as well as return current prisoners for municipal court Monday-Friday
- All detention and transport duties will be handled by CCA staff

There is currently a widespread staffing shortage in all areas of law enforcement, but particularly for corrections officers. In 2016, eight Arizona Correctional Officers sued the State over dangerous working conditions created by staffing shortages. The suit followed a record settlement of \$3 million paid to a former DOC teacher who was raped and beaten by an inmate two years ago.

The Department of Corrections reports monthly on officer vacancies. According to their statistics from May 1, 2017, facilities in Pinal County had some of the highest vacancy rates, while those in the Phoenix area did not seem to suffer from the same chronic shortage of labor.

Facility	Authorized FTE's	Filled	Vacancy %
Eyman	1,072	798	25.56%
Florence	717	573	20.08%
Perryville	647	647	0.00%
Phoenix	243	220	9.47%
Tucson	1,071	963	10.08%
Maricopa Reentry Cntr	15	14	6.67%

Source: Arizona Department of Corrections, Weekly Correctional Officer II Status Report

Given that they are privately operated, *facilities operated by CoreCivic are not required to share these same statistics with the public* so there is no way to know how well they perform in this area.

We strongly recommend that the Council request statistics from CoreCivic regarding salaries, staff turnover, and vacancy rates in its existing facilities in Arizona.

Given that there are six facilities run by CoreCivic located in Florence and Eloy, two state prison complexes, a county jail, a juvenile detention center, a federally operated Immigration detention center, and a handful of private prisons operated by other corporations, it is fairly safe to assume that the Pinal County labor pool is tapped out.

Why would Mesa want to take jobs away from people in their local community and move them to an area that is already stretched beyond capacity?

Staff shortages, high turnover rates and lack of staff training are consistently at the heart of problems that manifest in CoreCivic's facilities nationwide.

- A former regional manager for a CoreCivic prison in Boise, Idaho, revealed that **top employees at the facility were given yearly bonuses if they cut costs on salary, wages and other operational expenses** and met other company goals. CoreCivic, operated the Idaho Correctional Center under a \$29 million annual contract with the state of Idaho until chronic understaffing, violence and other problems prompted the Governor to order the state to take over the facility in 2013. A group of inmates at the Idaho prison sued in 2012, contending that CCA understaffed the prison to boost profits in a so-called "ghost worker scheme." The inmates contend the understaffing made the facility more dangerous and led to an attack where they were jumped, beaten and stabbed by members of a prison gang.¹
- A facility in Tennessee was marred by safety and staffing concerns during its first year of operation. Family of inmates and officers frequently complained that the facility was not doing enough to ensure security. **Officers reported being underpaid**, leading to a consistent churn in the workforce. In May 2016, the Tennessee Department of Correction advised the facility stop accepting new inmates due to a list of "serious issues" with facility leadership, along with concerns about the haphazard use of solitary confinement, inadequate staffing and allegations of excessive force.²
- A new report by the Department of Justice's Inspector General said the Leavenworth Detention Center, a federal prison in Kansas run by CoreCivic, put the safety of its inmates in jeopardy because of **understaffing, overcrowding and poor training**. One of the biggest issues was the lack of correctional officer vacancies. At times, 23 percent of guard positions remained vacant. "These correctional officer vacancies led to several problems in 2015, including the LDC's long-term use of mandatory overtime, which LDC personnel said led to **lower morale, security concerns, and fewer correctional officers available** to escort medical staff and detainees to and from the health services unit," the audit said.³

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¹ "Private prison official: Bonuses were paid for cutting costs," *Associated Press*, 2/16/17

² "Private prison chief: 'We've got work to do' at Troutdale facility," *The Tennessean*, 12/13/16

³ "DOJ Inspector General: Privately run federal prison poses safety risks for inmates, prisoners" *The Washington Examiner*, 4/25/17



Mesa City Council
May 18, 2017

Downtown Mesa Association

Downtown Mesa Association History

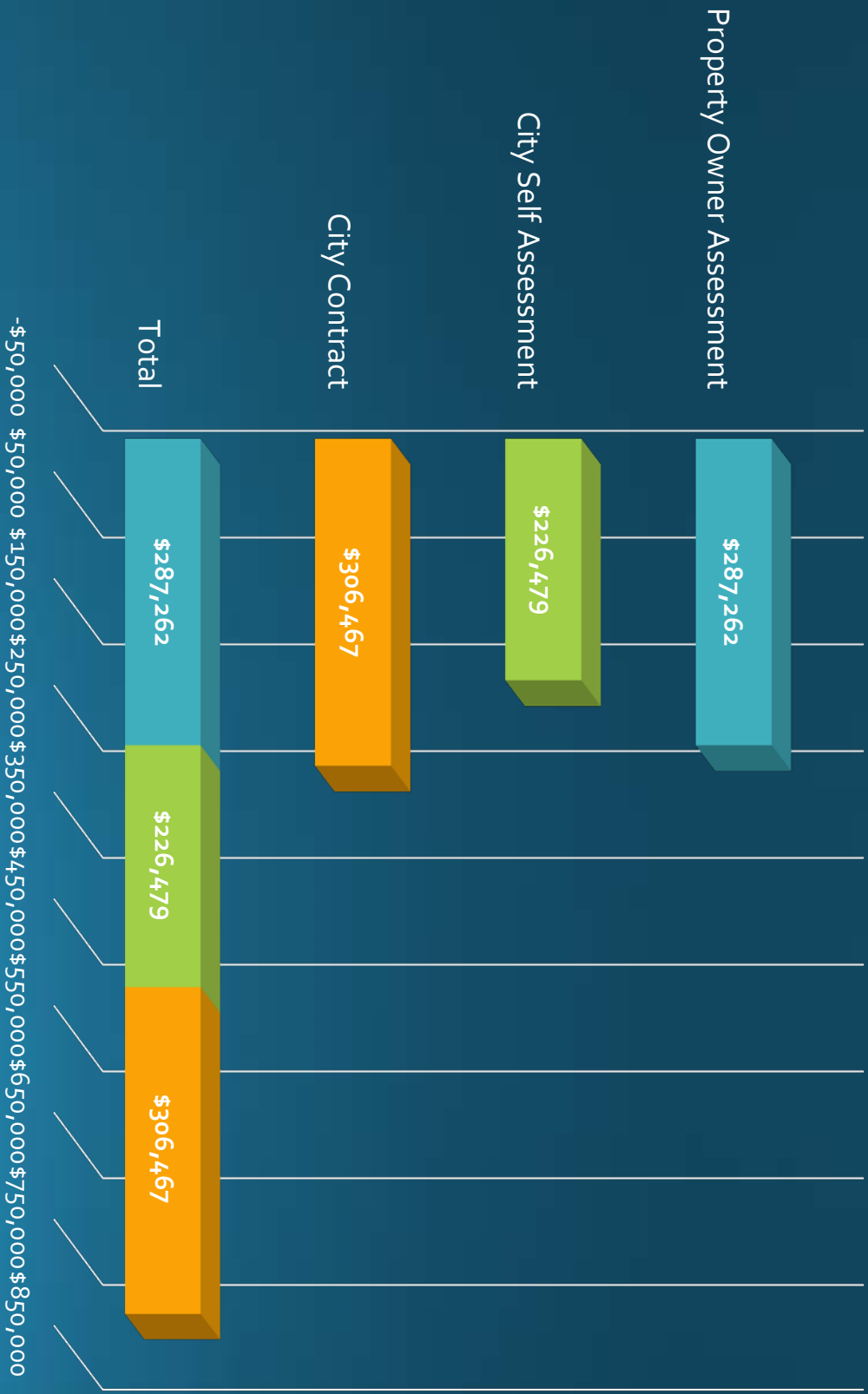
Providing enhanced services for 31 years

- District established in 1985
- First Business Improvement District in Arizona
- District Boundaries are Mesa's original Square Mile
- Represent 475 Property Owners
- Represent over 400 Businesses



DMA Operating Budget

Budget Breakdown by Source



Elevating Downtown Mesa



16,896 Trash Cans
Emptied
324 Grocery carts
reclaimed
120 Graffiti
Removed
218 Homeless
Campsites Removed
17.18 **Tons** Refuse in roll
off containers
Avg. Per Year



16 Parking Lot
Garages and lots
patrolled & cleaned
6,175 Parking
Spaces
9,722 Permits
Administered
816 Warnings /
Violations issued
Avg. Per Year

Public Space Maintenance



Marketing & Promotion

Parking Management



Events



Elevating Downtown Mesa Enhanced Services

Marketing & Promotion

Rebranding Initiative

- New Logo Design
- Website Redesign
- Color Scheme Update
- Tag Line Creation: "Make Your Mark"
- Branding Campaign



Elevating Downtown Mesa Enhanced Services

Marketing & Promotion

Campaigns

4.14 M+
PEOPLE REACHED THRU
DIGITAL CAMPAIGNS



Elevating Downtown Mesa Enhanced Services

Marketing & Promotion

Social Media Analytics



22,136

Total Followers

New Likes: 5,188

Reached: 3.89M+



5,107

Total Followers

New Likes: 2,120

Reached: 90,639



2,264

Total Followers

New Likes: 1,860

Engaged: 5,488

PEOPLE REACHED

3.98M+

THRU SOCIAL MEDIA



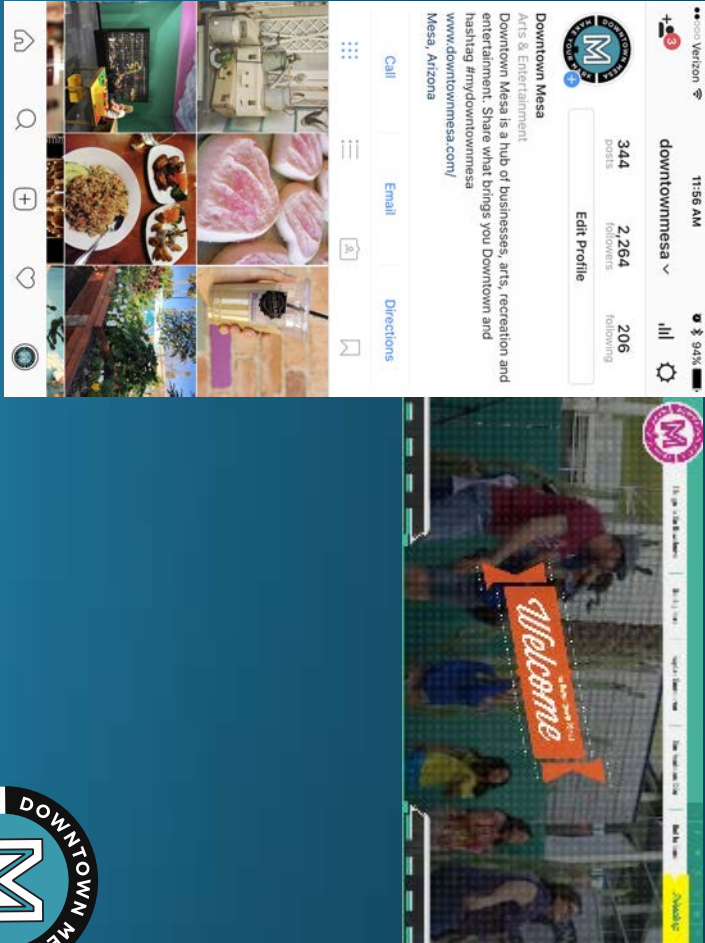
Elevating Downtown Mesa Enhanced Services

Marketing & Promotion

Analytics

8.12 M+
TOTAL REACHED
DIGITALLY

181,179
WEBSITE VIEWS



Elevating Downtown Mesa Enhanced Services

Marketing & Promotion

Print Materials

Printed Annually:

- **5,000** Downtown Brochures
- **2,000** Sculpture Guides
- **2,000** Downtown Dining Guides
- **20,000** Downtown Dollars (Parking)
- **10,000+** Event Flyers & Posters



Elevating Downtown Mesa Enhanced Services

Marketing & Promotion

Print Advertising

Printed Annually:

- **4 Ads in JAVA Magazine** (Arts, Food & Culture Magazine)
- **3 Ads in AZ Parenting Magazine**
- **1 Ad in Visit Mesa Guide**
- **1 Ad in Green Living Magazine**
- **1 Ad in East Valley Tribune's Best of Mesa Issue**
- **3 Utility Bill Inserts**



Elevating Downtown Mesa Enhanced Services

Marketing & Promotion

Banners

Seasonal Banners

- Spring Training
- Holiday
- Arts & Culture
- Celebration of Freedom
- Hometown Heroes
- Wilkes University
- Benedictine University

Year Round Banners

- Downtown Mesa
Branding



Elevating Downtown Mesa Enhanced Services

Marketing & Promotion

Kiosks

Eight Double-Sided Kiosks
Updated Bi-Annually



Elevating Downtown Mesa Enhanced Services

Marketing & Promotion

Downtown Dollars & Gift Card Programs



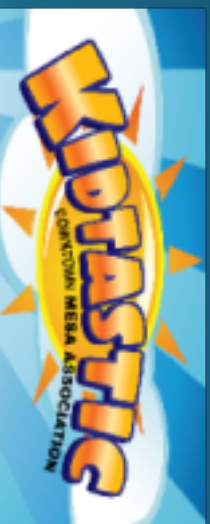
\$36,000+ in Gift Card Sales
Since Program Inception in 2012



Elevating Downtown Mesa Enhanced Services DMA Events

Each year DMA Produces

58 events attracting more than 59,000 attendees.





Elevating Downtown Mesa Enhanced Services DMA Partner Events

2016 Event Season

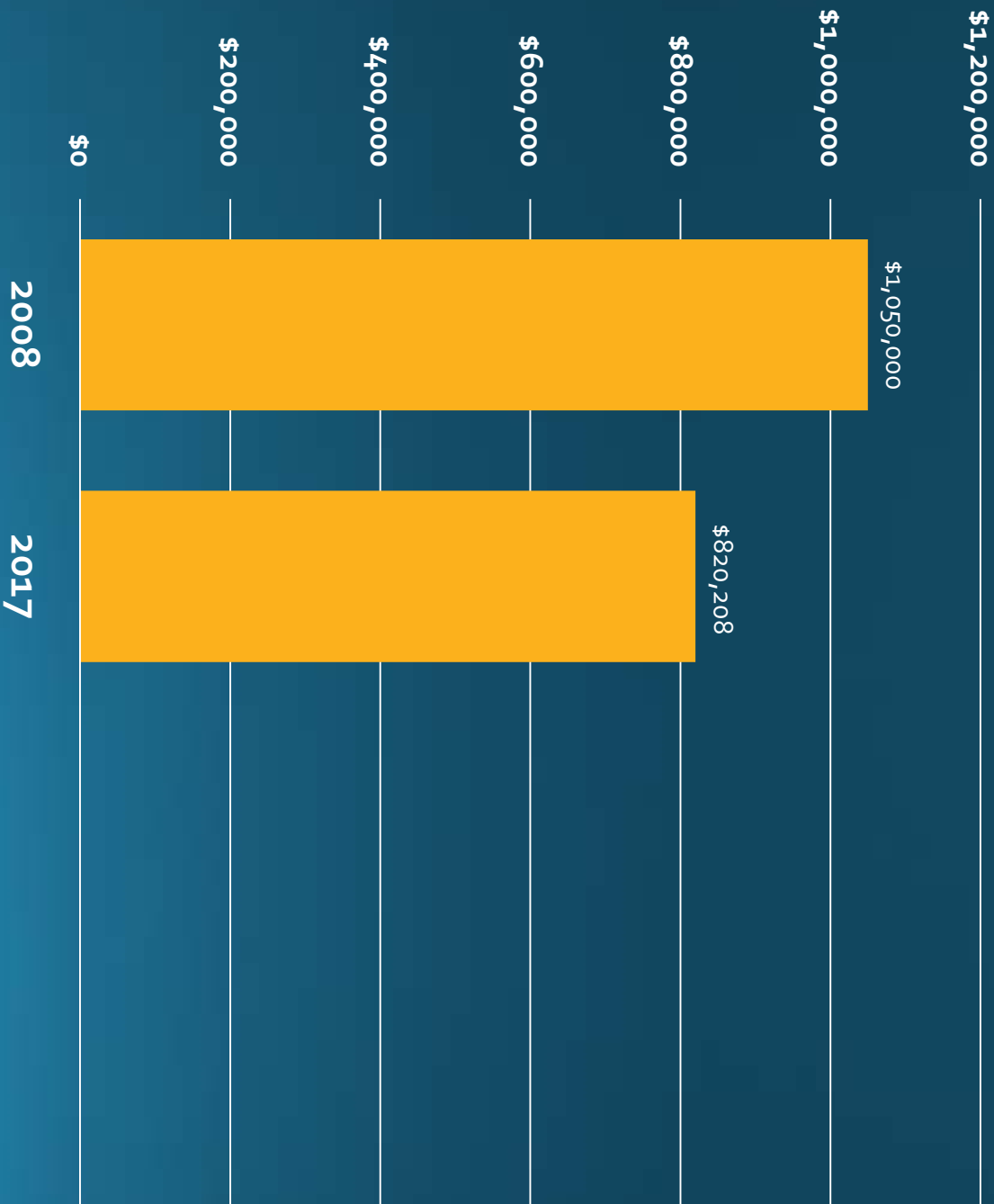
DMA sponsored 8+ events attracting over 200,000+ attendees.



East Valley Veterans Parade



DMA Operating Budget



Elevating Downtown Mesa Enhanced Services

Next 5 Years

Increase in:
Residents
Businesses
Employees
Customers
Cars



Increase in:
Services
Trash
Parking Needs
Marketing
Resources



Contact Us!

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Executive Director

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Sign Code Update



City Council
Study Session

May 18, 2017

Overview

- ☐ Objectives of Sign Code Update
- ☐ Portable Signs (temporary signs)
- ☐ Permanent Signs
- ☐ Public Input
- ☐ Staff Recommendations



Objectives of Sign Code Update



- ❑ Comply with Reed v. Town of Gilbert
 - Replace content-based regulations with form-based regulations
 - Standardize size for portable sign
- ❑ Modernize the Sign Code
 - Update 1986 sign code
 - Make more user-friendly
 - Update for changes in building sizes and technology



Objective of Sign Code Update: Reed v. Town of Gilbert

- ❑ Decision issued June 2015
 - Sign regulations **cannot** be based on Sign's Content or Message
- ❑ Content Neutral Sign Ordinance
 - Eliminate Message-based References and Sign Classifications
 - Eliminate Exceptions
 - Carefully Manage Definitions, Prohibitions and Applicability Requirements
- ❑ Surrounding Communities
 - Flagstaff and Tempe have adopted changes
 - Phoenix, Gilbert and Chandler have drafted changes



Revisions Related to Reed Decision



- ☐ Sign Classifications **May Not** be Based on **Message Type**
- ☐ Sign Allowances **May Not Show Preference To** One Type of Speech
- ☐ In Particular, Revisions Are Required to **Portable** Sign Regulations
- ☐ Revised Portable Sign Regulations are Based on **Sign Form**, Materials, and Location Context
- ☐ Revised Portable Sign Regulations **Will Not Limit Message**
- ☐ **Standardize** Sign Areas

Portable Signs: Philosophy Used to Determine Allowance

- ❑ Focus on Measurable Aspects of Signs and Context of Placement
- ❑ Organize Using Form-Based Code Principles and Concepts

1. Classify Sign Form

- Based on Materials, Structure Type, and Method of Anchoring to Ground



2. Location and Context of Placement

- Zoning District
- Length of Street Front
- Parcel Size
- Number of Street Fronts

3. Set Standards

- Number
- Sight Distance Triangles
- Sign Height
- Setback Distance from Street
- Sign Area
- Spacing Between Signs



Portable Signs: Allowed Types

- Attached Rigid

(ex: Plywood Attached to Building)



- Detached Rigid

(ex: Plywood Attached to Posts)



- Yard

(ex: Foam core Attached to Lath Stake)



- Detached Banners



- Wall Banners



- A-frame OR T-frame



Portable Signs: Single Residence Allowance

Standard Requirement	Maximum Aggregate Sign Area	Maximum Individual Sign Area	Maximum Number of Signs, Per Street Front	Maximum Height	Allowed Sign Types	Minimum Separation
1-Acre or Less	12-sqft	8-sqft	2	6-ft	Attached Rigid	30-ft
Between 1-Acre and 5-Acres	32-sqft	32-sqft	2 for first acre, and 1 per each additional acre, Max: 4	6-ft		30-ft
5-Acres or More	32-sqft of sign area per 500-ft of street frontage, per street front	32-sqft	4	6-ft	Detached Rigid Yard	30-ft

Portable Signs: Mid to Intensive Commercial Allowance

Standard Requirement	Maximum Aggregate Sign Area	Maximum Individual Sign Area	Maximum Number of Signs	Maximum Height	Allowed Sign Types	Minimum Separation
1-Acre or Less	32-sqft	32-sqft	3	8-ft	Attached Rigid	50-ft
Between 1-Acre and 5-Acres	64-sqft	32-sqft	4	8-ft		50-ft
5-Acres or More	32-sqft of sign area per 150-ft of street frontage, per street front	32-sqft	4, plus 1 per 5-acres	8-ft	A-frame/T-frame	50-ft

Portable Signs: Fabric Signs

☐ **Without Special Event License:**

- Commercial & Industrial Districts Only
- Allowed 30 Total Days per Year
- Maximum 8-ft high and 16-sqft
- Detached Fabric Signs: Setback 15-ft from face of curb, 50-ft separation

☐ **With Special Event License: Allowed in All Districts During Special Event**

- Outside of Downtown: Four 4-day Events are allowed by-right each Year
- Downtown: Unlimited No. of 4-day Events
- Extra Days/Events w/Special Use Permit



Portable Signs: Potential Effects of Changes



- ❑ Possible Increase in Number of Portable Signs Used
 - Due to Allowance of Any Message on the Sign
 - What May have been Limited to just a Real Estate Sale Sign, or a Contractor Sign, or Some Other Temporary Sign May Now be Used for ANY Message



- ❑ Maximums Changing Compared to Proposed Form-based Classifications
 - Some Form-based Signs are Smaller and Others Larger When Compared to Message-based Classification System Due to Standardization of Sizes

Objective of Sign Code Update: Modernizing the Sign Ordinance



- ❑ Last Complete Update of Sign Code completed in 1986
- ❑ Proposed Revisions to Permanent Sign Allowances
 - Update Downtown and Urban Districts' Signage Allowances
 - Update Commercial District Sign Maximums
 - Recognize Increased Scale of Commercial Projects
 - Recognize Increased Number of Multiple Tenant Projects in Office Districts
- ❑ Provide Administrative 'Standard' Sign Plan Option
- ❑ Update Minimum Design Standards for Sign Structures

Permanent Signs

- ☐ **Increase Sign Allowance for Multiple Tenant Offices**
- ☐ **Pad Buildings and In-line Tenant Space Options**
- ☐ **Roughly the Same as Present Requirements for Number, Height and Area**
- ☐ **Administrative ‘Standard’ Sign Plan Option**
 - Commercial Centers with greater than 400-ft of Street Front
 - Allow One 14-ft high sign at 120-sqft with all other detached signs limited to 8-ft and 50-sqft
- ☐ **Comprehensive Sign Plan through a Special Use Permit Remains an Option**





Public Input

Meetings:

April and May 2017

- **Southwest Valley Regional Association of Realtors (SEVAR)**
- **National Association of Industrial and Office Properties (NAIOP)**
- **International Sign Association (ISA)**
- **Valley Partnership**
- **Sloan Lyons Public Affairs**
(represented Retailers during Phoenix sign code updates)
- **Arizona Food Marketing Alliance and Walgreens**
- **Home Builders Association of Central Arizona (HBACA)**
- **Arizona Multi-housing Association**
- **Arizona Retailers Association**
- **Resident Meetings: East and West Side**
- **Mesa Chamber of Commerce**
- **Downtown Mesa Property Owners**
- **International Council of Shopping Centers (ICSC)**

Comments & Staff Recommendations

- ❑ Increase Maximum Individual Sign Area for Attached Signs
 - Staff Proposal: Maintain at 160-sqft
- ❑ Shorten Transition Rate for Electronic Message Panels
 - Staff Proposal: 1 Message Every 8-secs
- ❑ Increase Maximum Height and Area of Detached Signs
 - Staff Proposal: 12-ft high and 80-sqft, with Standard Sign Plan Option at **14-ft high and 120-sqft**



Comments & Staff Recommendations



☐ Fabric Signs

- Neighborhood wants Fabric Signs prohibited
- Industry wants allowance for increased use of Fabric Signs
- Staff Proposal: restricted allowance of 30 days per year; special events



☐ Detached Rigid Signs

- Larger Signs for Subdivision Marketing
 - Staff Proposal: Standardizing Portable Signs Individual Maximum at 32-sqft
 - Avoid Showing 'Preference' of One Message over Another

Tentative Project Schedule:

- ☐ June 2017
 - Release **Public Review Draft** for Comments
- ☐ June and July 2017
 - Study Sessions with **Planning and Zoning Board**
- ☐ July and August 2017
 - **Planning and Zoning Board** Hearing for Consideration
- ☐ September 2017
 - **Council Introduction** of Sign Code Ordinance
- ☐ Fall 2017
 - **Council Action** on Final Sign Code



Questions



Development Services Dept. - Planning Division

SignInfo@mesaaz.gov

Additional Information

APPENDIX

Permanent Signs:

Increase Sign Allowance for Multiple Tenant Offices

- ❑ Proposed Separation of Ratios and Maximums
- ❑ Results in Slight Increase in Overall Sign Allowance for Offices
 - Individual Tenants: 24-sqft minimum (may be smaller)
 - Multiple Tenants: 20-sqft minimum
 - Attached and Detached Signs: 32-sqft Maximum
 - Detached Sign: 8-ft Maximum Height



Permanent Signs: Attached Signs on Pad Buildings

☐ **Presently, Pad Buildings and In-line Tenant Spaces are Treated the Same**

☐ **Proposed:**

- Define Pad Building: less than 5,000-sqft gross floor area, single tenant occupant
- **Applicant Choice:**
 - **Standard Sign Allowance**
 - Max Number: **2 or 3** Total for Building
 - Max Individual Sign Area: **160-sqft**
 - **Pad Building Sign Allowance:**
 - Max Number: **4**
 - Max Individual Sign Area: **80-sqft**

Sign Ratio, Maximum Aggregate Sign Area and Maximum Width Remain the Same



Permanent Signs: Detached Signs

- ☐ **Roughly the Same as Present Requirements for Number, Height and Area Ratios:**
 - 1-sqft sign area per lineal foot of street front
 - Single Sign: 1-ft sign height per 10 lineal feet of street front,
 - Multiple signs: 1-ft sign height per 20 lineal feet of street front
- ☐ **Maximums:**
 - Height: 12-ft
 - Area: 80-sqft
- ☐ **Administrative ‘Standard’ Sign Plan Option**
 - Commercial Centers with greater than 400-ft of Street Front
 - Allow One 14-ft high sign at 120-sqft with all other detached signs limited to 8-ft and 50-sqft
- ☐ **Comprehensive Sign Plan through a Special Use Permit Remains an Option**



Outreach Comments

From Neighborhoods:

- ☐ Overall Preference: Fewer Signs and Smaller Signs
- ☐ Concern: Portable Signs Up for Long Periods of Time (> 6 months)
 - Specific Example Provided: Mesa-Phx Marathon Signs
- ☐ Concern: Continued Allowance of Fabric Signs
- ☐ Concern: Lax Enforcement of Fabric and 'Bandit' Signs



Outreach Comments

From Real Estate Agents & Apartment Owners:

- ☐ Preference: Allow Fabric Signs in Multiple Residence Districts
- ☐ Preference: Allow attached wall banners and 'feather' banners
- ☐ Preference: Allow Portable Signs Greater than 3-ft high w/in 15-ft of Edge of Pavement
- ☐ Preference: Increase Number of Days of Use for Fabric Signs
 - Current: 30-days per year
 - Requested: 45 or more



Outreach Comments

From Homebuilders:

- ❑ Allow Fabric Signs in Model Home Complexes
 - Allow both attached wall banners and ‘feather’ banners
- ❑ Allow Larger ‘Rigid’ Signs at Model Home Complexes
 - Current: 32-sqft;
 - Requested: Up to 96-sqft
- ❑ Allow Weekend Directional Signs in Some Manner
 - Proposed: Permission of Property Owner Required
 - Counted as a part of that Property’s Sign Allowance



Outreach Comments

From Sign Companies, Commercial Center Owners & Retailers:

- ☐ Consider Larger 'By-Right' Individual Attached Maximum Sign Areas
 - Current Max is 160-sqft per sign (ex.: signage used on a Home Depot)
- ☐ Use Same Ratio – Confusing to Use 2 Ratios for Small and Large Buildings
 - Standard: 2-sqft per 1-lineal front foot for buildings up to 200-ft lineal fronts ,
 - Large Format Commercial: 0.8-sqft per 1 lineal front foot over 200-ft wide
- ☐ Like/Support Administrative 'Standard' Sign Plan Option
- ☐ Consider Sign Height and Sign Area Ratios Based on Speed Limits
- ☐ Additional Details Needed on Portable Sign Allowances
- ☐ Consider Increase in Number of Days for Fabric Sign Allowances

