

COUNCIL MINUTES

June 21, 2018

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 June 21, 2018 at 7:30 a.m.

COUNCIL PRESENT

John Giles
David Luna
Mark Freeman
Francisco Heredia
Kevin Thompson
Jeremy Whittaker

COUNCIL ABSENT

Christopher Glover

OFFICERS PRESENT

Christopher Brady
Agnes Goodwine
Jim Smith

Mayor Giles excused Councilmember Glover from the entire meeting.

Mayor Giles excused Vice Mayor Luna from the meeting at 9:12 a.m.

1. Convene an Executive Session.

It was moved by Vice Mayor Luna, seconded by Councilmember Thompson, that the Study Session adjourn at 7:30 a.m. and the Council enter into an Executive Session.

Mayor Giles declared the motion carried unanimously by those present.

- 1-a. Discussion or consultation for legal advice with the City Attorney. (A.R.S. §38-431.03A (3)) Discussion or consideration of employment, assignment, appointment, promotion, demotion, salaries, discipline, dismissal, or resignation of a public officer, appointee or employee of the City. (A.R.S. 38-431.03A (1))

1. Interviews of the following City Magistrate candidates:

- a) Danielle Harris
- b) Alicia Lawler
- c) Mina Mendez

At 8:38 a.m., the Executive Session adjourned and the Council reconvened their study session.

2. Resume the public meeting and discuss and provide direction on the nomination of the finalist for the position of City Magistrate.

Mayor Giles commented that the three candidates were extremely qualified for the position and each would be a tremendous addition to the Mesa Municipal Court.

It was moved by Vice Mayor Luna, seconded by Councilmember Thompson, that candidate Alicia Lawler be nominated as the finalist for the position of City Magistrate.

Mayor Giles declared the motion carried unanimously by those present.

3-a. Hear a presentation, discuss, and provide direction on the proposed Audit Plan for FY 2018/19.

City Auditor Jennifer Ruttman displayed a PowerPoint presentation. **(Attachment 1)** She explained an Audit Plan details her departments audit plans for the coming fiscal year. She added this plan also includes previous audits at the follow-up review stage and audits carried over from the previous year.

In response to a question posed by Councilmember Thompson, Ms. Ruttman explained that during the audit of the Purchasing Department, staff will focus on the process of submitting request for proposals to ensure that City staff is procuring goods and services in accordance with the laws and the City's policy.

Discussion ensued relating to the audit on the procurement process.

In response to a question posed by Mayor Giles, City Manager Christopher Brady advised an update from the Police Department on the jail services contract was given in the spring and another update to Council will occur in the fall. He stated the audit completed by staff is to ensure the results presented by the Police Department are consistent with the findings of the Audit Department.

Ms. Ruttman added that the Audit Department will affirm the key metrics found by the Police Department but will also review parts of the contract the Police Department has not assessed. She explained the benefit of an independent review by the Audit Department is an evaluation of all areas of the contract.

Ms. Ruttman detailed the follow-up review audits proposed for FY 2018/19. She advised a year after an audit report is issued a follow-up review will occur. She explained the purpose of a follow-up review is to determine whether the actions that the department committed to taking have been successfully implemented. She added the goal is to ensure that the underlying problem was resolved, and the action plan worked. (See Page 5 of Attachment 1)

In response to a question posed by Councilmember Heredia, Ms. Ruttman advised completion dates of audits are not scheduled in advance due to limited staff and variations as to when an audit will take place throughout the year.

Mayor Giles thanked Ms. Ruttman and her staff for their hard work and playing a critical role in being transparent with the community.

3-b. Hear a presentation, discuss, and provide direction on the adoption of a comprehensive update to the City's Sign Code.

Planning Director John Wesley introduced Development Services Project Manager Angelica Guevara and displayed a PowerPoint presentation. **(Attachment 2)** He advised staff has received several comments over the last couple of months regarding the City's Sign Code and adjustments have been made to the ordinance based on those suggestions.

In response to a question posed by Mayor Giles, Ms. Guevara explained the window sign allowance was reduced from 50% to 25% to allow for further visibility into the stores for safety reasons, to reduce clutter, and for a storefront to be more aesthetically pleasing.

In response to a question posed by Mayor Giles, Ms. Guevara pointed out the existing code and the proposed code do not include an illumination restriction for static signs. She advised the proposed code will include a regulation for illumination on electronic message displays that includes lower lighting levels from dusk to dawn and a reduction in illumination to an electronic message display within 150 feet of a residence.

Mr. Wesley added no other community places a regulation on illumination to static signs and since there is no industry documentation providing guidance on illumination levels it was decided to withhold placing an illumination regulation to static signs in the proposed code.

In response to a question posed by Councilmember Freeman, Ms. Guevara reported air activated signs and balloons would be allowed for up to 30 non-consecutive days within a calendar year for any business. She advised the number of temporary signs allowed by a business is based on the zoning district the business is located within and certain districts only allow for either a sign, banner or balloon in front of the business.

Discussion ensued relating to enforcing the code and actions taken by staff.

In response to a question posed by Mayor Giles, Ms. Guevara explained a raceway sign is a sign where individual letters are placed on a sign mounting structure. She added businesses like to use raceway signs because it reduces the number of anchors penetrating through a business wall and staff is encouraging businesses to incorporate raceway signs into the design to be more aesthetically pleasing.

Ms. Guevara provided the modifications that were suggested during the public comment period but were not included in the proposed code. She reiterated that businesses can still request a special use permit to allow for a comprehensive sign plan, which will allow staff the flexibility to consider special and unique situations outside of what the sign code permits. (See Page 7 of Attachment 2)

In response to a question posed by Mayor Giles, Ms. Guevara advised the proposed sign code allows for all businesses to include a mural instead of just businesses located in the downtown area, and if a sign is painted on the mural then the sign portion of the mural would be counted against the allowable sign area.

In response to a question posed by Councilmember Heredia, Ms. Guevara advised stakeholders provided feedback on the issues observed in the existing sign code and have been considered for the proposed sign code. She stated e-mails were sent to anyone in the City's system that had

previously requested a sign permit advising them of the proposed sign code changes. She advised training materials and handouts will be available once the proposed sign code is adopted.

In response to a question posed by Councilmember Freeman, Ms. Guevara reported that any existing signs or comprehensive sign plans that have been approved are grandfathered-in and only new signs would need to adhere to the adopted sign code.

Mayor Giles thanked staff for the presentation.

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

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

5. Scheduling of meetings and general information.

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

Thursday, June 28, 2018, 7:30 a.m. – Study Session

6. Adjournment.

Without objection, the Study Session adjourned at 9:36 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 21st day of June, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

City Council Study Session June 21, 2018

City Auditor Proposed FY2019 Audit Plan





Audit Plan Overview:

- Current work in progress
- New audits planned for FY 2019
- Follow-up reviews due in FY 2019
- Other activities



Current work in progress:

- Arts & Culture – Agreements with Nonprofit Support Organizations
- PRCF – Dobson Ranch Golf Course & Restaurant Contracts
- Citywide – Procurement Card Program
- Financial Services – Eastmark CFD
- Transportation – Contract Monitoring Follow-up Review



New* audits:

- Purchasing – Procurement Processes
- Development & Sustainability – Fees & Charges
- Benefits – Claims Administration Contract
- Police – Jail Services Contract
- Utilities – Metering Processes
- Fire & Medical – Transport Services & Billing
- PRCF – Convention Center

*or carried over from FY18 Audit Plan



Follow-up reviews:

- CDBG Contract Monitoring
- Housing Rehab Program (2nd follow-up)
- Facilities Maintenance Contract Monitoring
- i.d.e.a. Museum Earned Revenues
- Police Supplies & Equipment
- Payroll & Timekeeping (delayed)
- Police Off Duty Program (2nd follow-up delayed)



Other Activities:

- Citywide Cash Handling Audits (continuous)
- PCI DSS Annual Review
- Fraud & Ethics Hotline Investigations
- Consulting (limited reviews, other projects, etc.)
- Unscheduled Audits



Questions or changes? Approval?



Sign Ordinance Update City Council Study Session



June 21st, 2018
Angelica Guevara
And
John Wesley

Sign Ordinance Update

- 2015 Supreme Court: Reed vs Town of Gilbert
 - Cannot base regulations on sign's content or message
- Update Portable Sign Allowances by removing message-based classifications
- Update Permanent Sign Allowances and Design Standards



Public Review

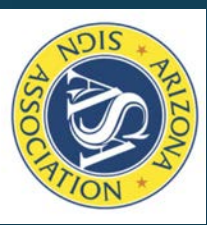
- Identified Stakeholders
 - Met to gather feedback
 - Reviewed the proposed changes
- Released Draft Dec. 28, 2017
- Staff Presentations:
 - Public Meetings
 - Neighborhood Meetings
 - Chamber of Commerce
 - Development Advisory Forum
- Comment Period Ended Mar. 31, 2018



Comments and Questions

Provided by:

- Residents
- Neighborhood Groups
- Chamber of Commerce
- Sign Companies
- Arizona Sign Association
- International Sign Association
- Institute for Justice
- City Advisory Board Members
- City Council Members



Modifications Made

- Banners: 45 to 30 days per year
- Window Signs: 50% to 25%
- Removed Illumination Restriction for Static Signs
- Air Activated Signs & Balloons



Modifications Made (continued)

- Discourage Use of Raceways
 - Added Guidelines for Raceway Design

Encourage:



Discourage:



Modifications Not Made

- Maximum Sign Area Allowance
- Sign Area Measurement
- Width to Height Ratio of Freestanding Signs
- Content-based changes to Historic Signs
- Murals: Allowed in all Zoning Districts



Final Draft

- Released April 19, 2018
- Provided hard copies to each of the libraries
- Posted on City's Webpage
- Continue to answer questions
- Proposing a 30-day Effective Date after Council Approval



Recommendation

- Staff recommends approval of the Sign Code Update
- Anticipated Schedule:
 - City Council Introduction July 2, 2018
 - City Council Action July 9, 2018
- Ordinance would take effect 30 days after approval

