



Fees and Charges Report

Date: January 22, 2024

To: City Council

Through: Scott Butler, Assistant City Manager

From: Kenneth Cost, Police Chief
Gina Nesbit, Assistant Police Chief

Subject: Police Department Update to Schedule of Fees and Charges, Citywide

Background and Recommendation

The Mesa Police Department recommends an update to the fee schedule for public records requests of law enforcement videos in accordance with Senate Bill 1148, signed into law on June 30, 2023, adding Arizona Revised Statute § 39-129 and amending 39-127. Senate Bill 1148 became effective October 30, 2023. A.R.S. § 39-129 authorizes the City to establish a one-time fee per copy of a video recording released by a local law enforcement agency through a public records request, not to exceed \$46 per video-hour reviewed. The City is authorized to take into consideration: (1) the cost of reviewing, transmitting, making a copy of and, as necessary, redacting the video recording; and (2) any other relevant information. A.R.S. § 39-127 was amended granting victims of crime the right to receive one copy of police video recordings without paying a fee.

After taking into consideration the costs and factors set forth in A.R.S. § 39-129, and subject to the exception of A.R.S. § 39-127, the Mesa Police Department recommends that the fee be \$46 per video hour reviewed, prorated by the minute. The effective date of this fee is January 23, 2024.

Methodology

This fee was developed by determining the hourly salary and benefits of the staff typically processing public records requests for police video recordings, a Police Investigator I, and equipment needed to process the requests.

Alternatives

Alternative One

A lesser fee per hour could be chosen. This would not allow the Mesa Police Department to appropriately recover some of the costs of staffing and equipment for video requests and may delay the response time to police video recording requests.

Alternative Two

No changes could be made to our current flat fee of \$25 per case for all police video recordings. The Mesa Police Department currently charges the same amount for each request, regardless of video length or amount of redaction required. This means that a request for a case with a one-minute video costs the same as a request for a case with hundreds of hours of videos.

Fiscal Impact

The proposed fee will allow the Mesa Police Department to offset some of the costs of processing public requests for video recordings. The total annual fiscal impact is estimated to be \$248,400.

Fees & Charges Schedule – Key

Heading Configuration

<u>Schedule of Fees & Charges</u>
Department
Contact Information
HEADING 1
HEADING 2
<i>Heading 3</i>
Description of Fee
Description of Fee 2

Font Indications

Font	Font Indications
Regular Font	Existing fee or language
Strikethrough	Fee or language will be deleted from the Fee Schedule
BOLD CAPS	Language is being added to Fee Schedule
Bold	New or increased Fee Amount

Schedule of Fees & Charges

Exhibit A – Police, City Prosecutors Office & Animal Control Division

Department: Police Department

Description of Service	Current Fee Range	Proposed Fee Range	Unit	Revenue Source Code	Total Fiscal Impact	Notes
<i>MISCELLANEOUS:</i>						
Video Medium (excludes Police video recordings) Upon receipt of request, no refund	\$25		Each			Adding cost specific to Police recordings; added language to exclude this category.
Police Video Recordings		\$46	Per hour of video reviewed, prorated by the minute.		\$248,400	There would be no charge to victims of a part I crime, based on statewide uniform crime reporting.

Estimated Total Annual Fiscal Impact: \$248,400