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DEPARTMENT OF
FINANCE

BUDGET DIVISION

CITY OF SACRAMENTO
CALIFORNIA

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SACRAMENTO, CA
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October 8, 1991

916-449-5845

City Council
Sacramento, California

APPROVED
BY THE CITY COUNCIL

Honorable Members in Session:

OCT. 8 1991

SUBJECT: PARKING CITATION BAIL INCREASE

OFFICE OF THE
CITY CLERK

LOCATION: CITY

SUMMARY

This report requests that the City Council approve City action to seek a \$2.00 increase in parking citation bail amounts.

STAFF RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution requesting an increase of \$2.00 in the parking citation bail and direct the City Manager to transmit the request to Sacramento County Municipal Court requesting approval for the increase.

BACKGROUND INFORMATION

The current parking citation bail amount is \$11.00 for parking meters and time limit violations. It is \$16.00 for other parking violations such as restricted zones, alleys, crosswalks, and various other violations listed in Chapter 25 of the City Code. Once a ticket is issued, it is sent to the court who imposes a \$3.00 processing fee (\$1.50 goes to the courthouse temporary construction fund and \$1.50 goes to the criminal justice temporary construction fund). The County currently deducts the \$3.00 per ticket written prior to any other distribution of the moneys collected, regardless of whether or not the fine is ultimately paid. As a result, the City currently pays \$3.00 for every ticket that is written but not collected on. This currently costs the City approximately \$171,000 annually. Of the balance of the parking bail revenues, the City ultimately receives 79 percent of the amount collected, pursuant to an agreement between the City and the County regarding the distribution of parking citation revenues.

As part of its 1991-92 budget package, the state passed legislation requiring that an additional \$2.00 per ticket written be allocated to the courthouse and criminal justice facility construction funds. In response to this legislation, the County is currently requesting a \$3.00 increase in the parking bail from the courts. Of the \$3.00 requested, \$2.00 per ticket issued would be allocated entirely to the construction funds. The remaining \$1.00 increase would generate approximately \$75,000 in 1991-92 and \$130,000 annually thereafter for the City.

In addition to the legislation described above, there is additional legislation affecting parking fine revenues which has been passed by the Legislature, but not yet acted on by the Governor. This legislation (AB 2142) would require that the monies distributed to the courthouse and criminal justice facility construction funds be allocated per ticket **collected**, rather than per ticket issued as under current law. If this legislation is signed, the City would receive an additional \$171,000 on an annual basis without any other changes in the parking citation bail amounts.

While the City will begin to receive a small increase in parking fine revenue as a result of the \$3.00 increase sought by the County, City costs for parking and traffic enforcement, air quality, and other transportation-related programs have been increasing over the last several years with no significant increase in parking bail amounts over that period. Additional fine revenues would allow the City to be more aggressive in these program areas.

In order for the City to request an additional bail increase, the City must send a letter to the District Court's Traffic Committee Chairperson. The Traffic Committee consists of the three District Court judges and three citizen committee members. Considerations made in the decision making process to increase the bail amounts include the following:

- Comparison of bail amounts to those of other cities
- Inflationary factors
- Growth and development of the City into a major metropolitan area
- Environmental consideration in terms of the relationship of parking to traffic congestion and air quality.

Other cities that have been contacted for comparison are as follows:

City	Meter Violations (\$11)	Other Parking Violations (\$16)
San Francisco	\$12 - \$20	\$20 - \$40
Los Angeles	\$13	\$13-28
San Jose	\$12 - \$18	\$18-28
Fresno	\$10	\$15
Oakland	\$14	\$21
San Diego	\$14	\$17 - \$32
Sacramento - Current (prior to proposed County increase)	\$11	\$16
Sacramento - Proposed (prior to proposed County increase)	\$13	\$18

It should be noted, however, that the parking amounts shown here were effective prior to the most recent state legislation and thus will likely be increasing in all of these localities in the next few months.

The bail increase proposal must also be within the guidelines set forth by the State Judicial Council. The Sacramento Municipal Court District's Traffic and Parking Section manager reports that the proposed bail amount is within the guidelines of the Judicial Council.

After the Traffic and Parking Committee reviews the proposal, it is referred to the Presiding Judges of the Municipal Court. It is then subject to the review of the 16 Judges of the Court District.

FINANCIAL CONSIDERATIONS

For 1991-92, it is estimated that 240,000 parking citations will be issued. The collection rate for parking citations is estimated at 70 percent. The County retains 21 percent of parking fine revenues for collection, adjudication, and administration. If the new bail amounts are enacted by the beginning of November, approximately 60 percent of the full fiscal year's potential revenue could be realized. In addition, if the state legislation currently on the Governor's desk (AB 2142) is enacted, the City will receive an additional \$171,000 or more annually. The Governor must act on AB 2142 by mid-October. Table 1 summarizes the amount of revenue that would be generated from the various changes being proposed.

Table 1

SUMMARY OF REVENUE EFFECTS OF PARKING BAIL INCREASES

Proposed Parking Bail Increases	Cost/Gains to City
County request for \$3 increase	
\$2 (to go to construction funds)	-80,000
\$1 (additional request)	130,000
City request for \$2 increase	260,000
AB 2142	
Effect on existing bail	171,000
Effect on increased bail	<u>80,000</u>
Total increase	\$561,000

POLICY CONSIDERATIONS

The City has not requested a bail increase in the last five years, although City costs for parking and transportation enforcement, air quality, and other transportation-related programs have grown due to increased labor costs and rapid population growth within the City. In addition, increases in the parking bail are consistent with the Mayor's Downtown Transportation Task Force Recommendations adopted by the City Council in 1988 in order to insure that parking fines are adequate for reasonable City Council deterrence of on-street parking and traffic congestion.

If the increased bail is approved by the City Council and the Sacramento County Municipal Court, staff will report to the Council at Mid-Year regarding recommendations for program funding alternatives. Given the uncertainties at this point regarding how much money might be available, staff does not recommend making any budget changes at this time.

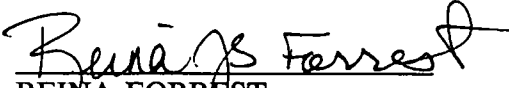
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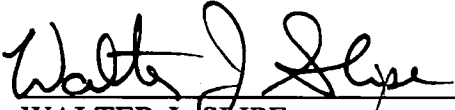
None.

Respectfully submitted,


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Management Analyst


BETTY MASUOKA
Director of Finance

APPROVED:


WALTER J. SLIPE
City Manager

Contact person:
Reina Forrest
Management Analyst
449-5845

RESOLUTION NO. 91-795

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVED
BY THE CITY COUNCIL
OCT 8 1991
OFFICE OF THE
CITY CLERK

RESOLUTION APPROVING PARKING CITATION BAIL INCREASE

WHEREAS the City Council hereby finds that increased parking bail is consistent with the Mayor's Downtown Transportation Task Force Recommendations adopted by the City Council in 1988 in order to insure that parking fines are adequate for reasonable City Council deterrence of on-street parking, traffic congestion and air quality.

WHEREAS the City Council supports increasing the parking bail, the City Manager is hereby authorized to request such an increase in parking bail from the Sacramento County Municipal Courts.

THEREFORE it is hereby resolved that the City Council requests that the Municipal Court of the County of Sacramento approve a \$2.00 increase in the parking citation bail.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____