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CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 117831

AN ORDINANCE relating to revenues generated from the use of school zone fixed automated traffic cameras; creating a fund for depositing such revenues; and adopting financial policies for the City of Seattle governing the fund.

WHEREAS the City of Seattle (City) is committed to maintaining high standards of financial management; and

WHEREAS, in December 2012, the City began using fixed automated cameras to enforce the school zone speed limits at four elementary schools - Broadview Thompson, Gatewood, Olympic View and Thurgood Marshall - and intends to expand the location of such cameras at other schools throughout the City; and

WHEREAS, the purpose of these fixed automated cameras is to reduce vehicle speeds and improve safety for schoolchildren and other pedestrians; and

WHEREAS, funding for school traffic and pedestrian safety improvements from a variety of sources is limited; and

WHEREAS, the National Committee on Uniform Traffic Laws and Ordinances recommends dedicating infraction revenue from automated traffic law enforcement to road safety projects; and

WHEREAS, the Mayor and Council intend to spend the net revenues generated by school zone fixed automated cameras either directly from camera revenues or in equivalent amounts from other funds to make traffic and pedestrian improvements in and around school zones; and

WHEREAS, the Council intends that the revenues generated by school zone fixed automated cameras expand current efforts relating to school traffic and pedestrian safety; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new School Zone Fixed Automated Cameras Fund is hereby created in the City Treasury effective January 1, 2014, to which revenues may be deposited, and from which

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1 associated expenditures may be paid including, but not limited to, operating, maintenance,
2 capital and City administration costs for the purposes described in Section 2 below.

3 Section 2. The purpose of creating the School Zone Fixed Automated Cameras Fund is
4 to separately account for the revenues generated by the school zone fixed automated cameras.

5 Section 3. The new School Zone Fixed Automated Cameras Fund shall receive all
6 revenues from fixed automated school zone camera fines and civil penalties, and other monies as
7 authorized by ordinance. The Fund shall receive earnings on its positive balances and pay
8 interest on its negative balances.

9 Section 4. The Director of the Seattle Department of Transportation shall have
10 responsibility for administering the Fund. The Director of Finance is authorized to create other
11 Subfunds, Accounts, or Subaccounts as may be needed to implement the Fund's purpose and
12 intent as established by this ordinance.

13 Section 5. A new chapter 5.81 and Section 5.81.010 of the Seattle Municipal Code is
14 added to Subtitle III of Title 5 as follows:

15 Chapter 5.81

16 School Zone Fixed Automated Camera Revenues

17 Section 5.81.010 Financial Policies. The following financial policies govern revenues
18 generated from school zone fixed automated camera fines or civil penalties:

19 A. Spending for School Traffic and Pedestrian Safety: Funding in an amount
20 equal to the revenue generated annually by school zone fixed automated camera fines and civil
21 penalties will be spent for school traffic and pedestrian safety and directly related infrastructure
22 projects; pedestrian, bicyclist, and driver education campaigns; and installation, administrative,
23 enforcement, operations and maintenance costs associated with the school zone fixed automated
24 cameras.

25 B. Annual Budget Revenues and Appropriations: The Executive will propose
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1 appropriations for the items in Subsection 5.81.010A above in its annual budget submittal to the
2 Council based on the amount of school zone fixed automated camera fines and civil penalties
3 projected to be received in the prior budget year.

4 C. Year-End Report: The Executive will provide a year-end report to the City
5 Council on school zone fixed automated camera revenue receipts, appropriation and expenditures
6 by March 1 each year.

7 D. True-Up of Revenues and Expenditures: To the extent that actual annual
8 revenues from school zone fixed automated cameras differ from the appropriations made through
9 the annual budget, the Executive will propose appropriation changes in supplemental legislation
10 to ensure that funding in an amount at least equal to the actual revenues generated by school
11 zone fixed automated cameras are spent for the purposes described in Section 2 of this ordinance.

12 Section 6. This ordinance shall take effect and be in force 30 days after its approval by
13 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
14 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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Passed by the City Council the _____ day of _____, 2013, and
signed by me in open session in authentication of its passage this
_____ day of _____, 2013.

President _____ of the City Council

Approved by me this _____ day of _____, 2013.

Michael McGinn, Mayor

Filed by me this _____ day of _____, 2013.

Monica Martinez Simmons, City Clerk

(Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Norm Schwab/684-9292	n/a

Legislation Title:

AN ORDINANCE relating to revenues generated from the use of school zone fixed automated traffic cameras; creating a fund for depositing such revenues; and adopting financial policies for the City of Seattle governing the fund.

Summary of the Legislation:

This ordinance creates a new School Zone Fixed Automated Cameras Fund in the City Treasury effective January 1, 2014 for the purpose of separately accounting for the revenues generated by the cameras. The Director of the Seattle Department of Transportation will be responsible for administering the Fund.

This ordinance also creates a new chapter 5.81 and Section 5.81.010 of the Seattle Municipal Code that establishes a set of financial policies pertaining to use of school zone speed camera revenues as follows:

1. Spending for School Traffic and Pedestrian Safety: Funding in an amount equal to the revenue generated annually by school zone fixed automated camera fines and civil penalties will be spent for school traffic and pedestrian safety and directly related infrastructure projects; pedestrian, bicyclist, and driver education campaigns; and installation, administrative, enforcement, operations and maintenance costs associated with the school zone fixed automated cameras.
2. Annual Budget Revenues and Appropriations: The Executive will propose appropriations for school traffic and pedestrian safety improvement projects and directly related infrastructure projects, and administrative, operations and maintenance costs associated with the school zone fixed automated cameras in its annual budget submittal to the Council based on the amount of school zone fixed automated camera fines and civil penalties projected to be received in the prior budget year. The Executive will propose appropriations for the items in the above Item 1 in its annual budget submittal to the Council based on the amount of school zone fixed automated camera fines and civil penalties projected to be received in the prior budget year.

3. **Year-End Report:** The Executive will provide a year-end report to the City Council on school zone fixed automated camera revenue receipts, appropriation and expenditures by March 1 each year.
4. **True-Up of Revenues and Expenditures:** To the extent that actual annual revenues from school zone fixed automated cameras differ from the appropriations made through the annual budget, the Executive will propose appropriation changes in supplemental legislation to ensure that funding in an amount at least equal to the actual revenues generated by school zone fixed automated cameras are spent for the purposes described in Section 2 of this ordinance.

Background:

Implementation of the school zone camera program began late in 2012 and the Executive did not include projected revenues in its revenue estimates for fiscal year 2013. However, it turns out that revenues are coming in at a substantially higher level than anticipated (at least initially). The Executive first estimated that these cameras would generate \$800,000 in 2013, but more recently have increased the anticipated revenue to a little more than \$5M. Accounting for installation and operation of the initial cameras and school safety expenditures anticipated in 2013 (including the 1st quarter supplemental), the Executive estimates that a net balance of yet to be spent camera revenue is about \$2.5 M. On several occasions the Executive has stated that all revenues from school zone speed cameras would be expended on school safety projects. Several Councilmembers have expressed the desire to have this commitment stated in a set of adopted financial policies to ensure that an amount equal to the revenues generated by the cameras is actually spent on school traffic and pedestrian safety improvements.

Please check one of the following:

X **This legislation does not have any financial implications.**

This legislation does not directly have fiscal impacts. It simply lays out a mechanism for accountability regarding school zone camera fines and civil penalties revenue appropriations and expenditures.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**

This legislation does not directly have fiscal impacts. It lays out a mechanism for accountability regarding school zone camera fines and civil penalties revenue appropriations and expenditures. The policies limit the use of such funds for school traffic and pedestrian safety and directly related infrastructure improvements, less annual expenditures to install, operate and maintain the cameras and the associated administrative costs in the Seattle Municipal Court

- b) **What is the financial cost of not implementing the legislation?**

Without this legislation the City could spend revenues from school zone camera fines and civil penalties on any purposes eligible for use of the General Subfund.

c) Does this legislation affect any departments besides the originating department?

Seattle Department of Transportation, Seattle Municipal Court, City Budget Office

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

None

e) Is a public hearing required for this legislation?

No

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No

g) Does this legislation affect a piece of property?

No

h) Other Issues:

None