CITY COUNCIL AGENDA REPORT

MEETING DATE: July 19, 2011 **ITEM NUMBER:** Item Number

SUBJECT: TRAFFIC CITATION SIGN-OFF FEE

DATE: JUNE 2, 2011

FROM: POLICE OPERATIONS SERVICE DIVISION

PRESENTATION BY: MARTY CARVER-TRAFFIC BUREAU COMMANDER

FOR FURTHER INFORMATION CONTACT: 714 754-5384

RECOMMENDATION:

Police Department staff recommends charging a fee for signing off correctible vehicle code violation citations by front desk personnel for all citations except for Costa Mesa correctible citations written to Costa Mesa residents.

BACKGROUND:

The Costa Mesa Police Department has experienced an increase in the volume of citation sign offs due to the City's current "no charge" sign off policy. Violators have stated to front desk personnel that they come to Costa Mesa to have their citations signed off because other agencies charge a fee for the same service. From January 1, 2010 through May 31, 2010, a citation sign-off survey was completed to gather information from other Orange County police agencies. The survey results showed that all but two of the fifteen agencies contacted charged non-residents for signing off citations.

ANALYSIS:

Data from January–May of 2010 was gathered and compiled into two tables. The "CMPD Citation Sign-Off Volume" table lists the monthly volume of citation "sign offs" processed by CMPD staff. This table categorizes received citations issued by Costa Mesa Police Department and non-local police agencies. Additional categories list whether the citizen receiving the citation was a Costa Mesa or non-local resident.

The "Fees Charged by Major Orange County Police Agencies" table lists information in a similar manner. The survey shows agencies typically charge fees that are more expensive to non-local residents who were issued a citation by another police agency. Less expensive fees are charged, by some agencies, to local residents who received a

citation from their local police agency. Other cities charge a flat fee to both local and non-local residents. The average fee amounts are listed for each of the categories.

CMPD Citation Sign Off Volume					
2010	Not Our Cite	Not Our Cite	CM Cite	CM Cite	
MONTH	Non-Resident	CM Resident	Non-Resident	CM Resident	Total
JANUARY	106	45	48	73	272
FEBRUARY	95	34	50	66	245
MARCH	95	50	55	114	314
APRIL	94	41	52	49	236
MAY	85	41	28	73	227
Total	475	211	233	375	1294

FEES CHARGED BY MAJOR OUTSIDE POLICE AGENCIES				
Police Departments	Not our Cite Non-Resident	Not our Cite City Resident	City Cite Non-Resident	City Cite City Resident
Anaheim	$10.00	$10.00	$10.00	$10.00
Brea	$25.00	$25.00	$0.00	$0.00
Cypress	$15.00	$0.00	$0.00	$0.00
Fountain Valley	$15.00	$15.00	$15.00	$15.00
Fullerton	$10.00	$10.00	$0.00	$0.00
Garden Grove	$12.00	$12.00	$12.00	$12.00
Huntington Beach	$0.00	$0.00	$0.00	$0.00
Irvine	$8.00	$8.00	$8.00	$8.00
Laguna Beach	$0.00	$0.00	$0.00	$0.00
Newport Beach	$22.00	$22.00	$22.00	$22.00
Orange	$21.00	$21.00	$0.00	$0.00
Placentia	$15.00	$0.00	$0.00	$0.00
Santa Ana	$10.00	$10.00	$0.00	$0.00
Tustin	$10.00	$0.00	$0.00	$0.00
Westminster	$13.00	$13.00	$0.00	$0.00
Total:	$186.00	$146.00	$67.00	$67.00
Average Total:	$12.40	$9.73	$4.47	$4.47

The fee recommended for adoption does not exceed the reasonable cost to the City of performing this service.

ALTERNATIVES CONSIDERED:

In the event the recommended action is not approved, the alternative would be to continue offering free citation sign-off services to the public.

FISCAL REVIEW:

Projected annual revenue from the citation sign-off fee, based on staff's recommendation, would be approximately $18,000. This projection was based on the five-month survey data collected in 2010 by subtracting the number of Costa Mesa citations to Costa Mesa residents from the total number of citations processed. The cost recovery for the City during the survey would have been $9,190.

LEGAL REVIEW:

The City Attorney has reviewed this report and the attached resolution and no further legal review is required.

CONCLUSION:

Based on the current practices by other police agencies, staff recommends the City of Costa Mesa impose a $10 sign-off fee for all citations, except for those citations written by Costa Mesa Police officers to Costa Mesa residents. The suggested fee falls between the high and low-end average fee amounts listed in the survey.

MARTY CARVER	DENNIS KIES
Lieutenant/Traffic Commander	Chief of Police
LARRY HURST	RICHARD L. ADAMS II
Interim Finance Director	Deputy City Attorney

DISTRIBUTION: City Manager
City Attorney
Interim Finance Director
City Clerk

ATTACHMENTS: 1 Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ESTABLISHING A FEE FOR CERTIFICATION OF CORRECTION OF VEHICLE CODE VIOLATIONS

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Section 40616(c) of the California Vehicle Code provides that a police department may certify the correction of violations of the Vehicle Code; and

WHEREAS, pursuant to the provisions of the California Constitution and the laws of the State of California, the City of Costa Mesa is authorized to adopt and implement rates, fees, and charges for municipal services; provided, however, that such rates, fees, and/or charges do not exceed the estimated reasonable cost of providing such services; and

WHEREAS, the Costa Mesa Police Department currently does not charge a fee to certify corrections of violations of the Vehicle Code; and

WHEREAS, the Costa Mesa Police Department has experienced an increase in the volume of requests for certification of corrections of Vehicle Code violations due to the absence of a fee for such service; and

WHEREAS, this City Council desires to establish a fee for Costa Mesa Police Department certification of corrections of Vehicle Code violations; and

WHEREAS, the fee to be established is consistent with the range of fees charged by other similar Orange County agencies and is lower than the average of those fees; and

WHEREAS, the fee will not exceed the costs reasonably borne by the City for officers' time in inspecting and certifying corrections of California Vehicle Code violations; and

WHEREAS, the adoption of this fee is projected to generate approximately $18,000 annually, which will help the City offset some of the many costs associated with the vital public safety services provided by the Costa Mesa Police Department; and

WHEREAS, this City Council has conducted a duly noticed public hearing with respect to this fee prior to the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby establishes a $10.00 fee per violation for the certification of correction of Vehicle Code violations, excluding traffic citations issued by the Costa Mesa Police Department to Costa Mesa residents. Such fee shall be implemented commencing September 17, 2011, which is at least 60 days after adoption of this Ordinance.

PASSED AND ADOPTED this ____ day of _____, 2011.

_____
Gary Monahan, Mayor

ATTEST:

_____
Julie Folcik, City Clerk

APPROVED AS TO FORM:

_____
Thomas P. Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No._____ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the ___ day of _____, 2011, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Costa Mesa this ____ day of _____, 2011.

_____
JULIE FOLCIK, CITY CLERK

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Gary Monahan, Mayor

ATTEST:

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Julie Folcik, City Clerk

APPROVED AS TO FORM:

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AYES:

NOES:

ABSENT:

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JULIE FOLCIK, CITY CLERK