TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930
(415) 453-1584/FAX (415) 453-1618

Mayor
Lew Tremaine

Vice Mayor
Larry Bragman

Town Council
Pam Hartwell-Herrero
John Reed
David Weinsoff

Town Manager
Michael Rock

July 7, 2010

The Honorable Denise Ducheny
Chair, Assembly Budget Committee
State Capitol Building
Sacramento, CA 95814
Via fax: 916-323-8386

The Honorable Bob Blumenfield
Chair, Senate Budget Committee
State Capitol Building
Sacramento, CA 95814
Via fax: 916-319-2199

RE: Courts Funding Package - Local Parking Citation Surcharge - NOTICE OF OPPOSITION

Dear Senator Ducheny and Assembly Member Blumenfield:

The Town of Fairfax opposes the court's funding package proposal that would place an additional $3 dollar surcharge on all parking tickets collected by cities. This fee wrongfully ties parking citations to the court operations and places cities at risk of greater fiscal hardship.

We fully agree that having an accessible and efficient court system is important for all California residents. However, the nexus between parking citations and trial court operations is very weak. Prior to 1992, parking was a criminal offense and contested parking tickets were heard by criminal courts. However, this changed almost twenty years ago by Assembly Bill 408 (Epple; 1992) which decriminalized parking offenses and created a civil administrative procedure where contested citations were handled outside the court system. Currently less than a one-half percent of all parking citations are ever appealed and go to the courts.

To make matters worse, the application of this proposal has problems and puts local budgets at risk. Language is not yet available but we understand implementation could start as early as October 2010. This could potentially leave cities with only a few weeks to reprogram computers, reprint forms, and follow proper local procedure for changing citation levels. When cities had to change their parking ticket costs following Senate Bill 1407 in 2009 it took roughly six months to make the necessary changes at the local level.

Like many towns and cities Fairfax faces a budget deficit this year and cannot afford to lose any revenues. The court funding proposal will leave cities with two choices: Take the $3 dollars out of their own pockets or increase citations by $3 dollars. Most people see increasing parking citations to cover the $3 dollars as an easy choice but that is simply not the case. This hurts our ability to raise revenues to help cover the expense of planned street projects and local improvements.

The Town of Fairfax respectfully requests you remove this proposal from the court's funding package and thanks you for your consideration of our position.

Sincerely,

Lew Tremaine
Mayor

Printed on Recycled Paper

AGENDA ITEM # 15