

Upcoming
Council Agenda Item



CITY OF DALLAS

Memorandum

DATE: May 8, 2015

TO: Honorable Members of the Public Safety Committee: Sheffie Kadane (Chair), Adam Medrano (Vice Chair), Dwaine R. Caraway, Jennifer S. Gates, Sandy Greyson, Scott Griggs

SUBJECT: **Designation of Adjudication Hearing Officers for Certain Violations**

Staff seeks the Committee's approval to designate hearing officers for adjudicated hearings on two types of civil citations: red-light camera citations and school bus stop-arm citations, which are both enforced with photographic images. Together, these two types of citations number over 50,000 annually, with about 7,500 of the cases appealed to City hearing officers. Administrative adjudication provides a forum for citizens to resolve the citations quickly and fairly, relieving a work flow burden on the municipal courts. Nevertheless, citizens retain the right to appeal to a municipal court, should they wish to do so.

School Bus Stop Arm Citations:

On May 23, 2012, City Council passed Ordinance No. 28654, which amended Chapter 28 of the Dallas City Code to create a civil offense and a civil penalty for unlawfully passing a stopped school bus with its stop arm extended and red lights flashing, and to provide for photographic enforcement and administrative adjudication of school bus stop arm violations. The ordinance created the City's Automated School Bus Stop Arm program.

The City also entered into an interlocal agreement with Dallas County Schools (DCS) to utilize video equipment on DCS-owned and operated buses to capture violations of the ordinance. That interlocal agreement was authorized by Council on May 23, 2012, by Council Resolution No. 12-1388. The City and DCS entered into the interlocal agreement shortly thereafter, and the Automated School Bus Stop Arm program with camera enforcement was underway.

One requirement of Ordinance No. 28654 is that City Council designate hearing officers to adjudicate appeals of school bus stop arm citations. To that end, Agenda Item No.45 on the May 27, 2015 agenda is the designation of the following staff, as recommended by the City Manager, to be hearing officers for the Automated School Bus Stop Arm program:

Thelma Jones
Porsha Thomas

Esther Tripp
Mary Pagan

Terrence Howard
Hendriel Anderson

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Designation of Adjudication Hearing Officers for Certain Violations

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This agenda item also ratifies all decisions made by these hearing officers in past appeals of school bus stop arm citations.

Red-Light Camera Citations:

On April 12, 2006, City Council passed Ordinance No. 26305, which amended Chapter 28 of the Dallas City Code to create a civil offense for a red-light violation at a camera-enforced intersection. On November 5, 2007, City Council passed Ordinance No. 26988, which conformed the City's red-light camera ordinance to state law and provided for civil fines not to exceed \$75 per offense. On December 12, 2007, the Council passed Resolution No. 07-3793, which designated hearing officers for adjudication of red-light-camera citations. Several of the hearing officers designated by that resolution continue to perform their duties as hearing officers. However, new staff members have joined the Adjudication Office, and staff recommends that the Council designate the following persons as hearing officers to adjudicate appeals of red-light camera citations, and to ratify any past hearings for these hearing officers:

Porsha Thomas
Hendriel Anderson

Staff is seeking support from the Public Safety Committee to designate these hearing officers and to ratify past decisions made by these officers on appeals of red-light camera citations and school bus stop-arm citations. If the Committee concurs, this item will be placed on the May 27, 2015 City Council Agenda.



Eric D. Campbell
Assistant City Manager

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

Memorandum



CITY OF DALLAS

DATE: May 08, 2015

TO: Honorable Members of the Public Safety Committee: Sheffie Kadane (Chair), Adam Medrano (Vice Chair), Dwaine Caraway, Jennifer S. Gates, Sandy Greyson, Scott Griggs

SUBJECT: **Renewal of the Interlocal Agreement for the School Bus Stop Arm Enforcement Program**

After briefings from Dallas County School (DCS) on the growing number of incidents of motorists unlawfully passing stopped school buses and the high potential for injury or death to students and the public, on May 23, 2012, City Council adopted Ordinance 28654 which created a civil offense and civil penalty for unlawfully passing a stopped school bus with its stop arm extended and red lights flashing.

In a student safety partnership with DCS, City Council authorized execution of (2) two ILA's. The first ILA authorized DCS to administer and enforce the School Bus Stop Arm Program. The existing ILA expires on June 24, 2015 and both parties desire to renew this student safety partnership.

Under the Interlocal Agreement for the School Bus Stop Arm Enforcement Program, DCS is responsible for monitoring and recording passing traffic when a stop arm is deployed on the bus. DCS hired peace officers to review the videos and determine whether violations have occurred and issue citations for violations that carry a \$300 civil fine. In addition, DCS is responsible for all collection efforts on school bus stop arm citations. The City is responsible for handling any hearings or appeals for adjudication of school bus stop arm violations, whether administratively or in Municipal Court.

The second ILA transferred the responsibility, management, and expense of the school crossing guard program from the City to DCS beginning in August 2012. The transition of the school crossing guard program to DCS has been a successful and valuable component of the student safety partnership.

To offset program deficits from management of the school crossing guards, certain expenses associated with the operation of the school crossing guard program can be funded by the joint escrow account. In no event, however, shall the balance of the account fall below \$250,000.

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The term of the ILA for the School Bus Stop Arm Enforcement Program is being extended to coincide and synchronize with the termination date of the ILA for the School Crossing Guard Program to maintain the longevity of the student safety partnership.

The City is seeking a favorable recommendation from the Public Safety Committee to authorize a renewal of the ILA with Dallas County Schools. This item will be placed on the City Council Agenda on May 13, 2015.



Eric D. Campbell
Assistant City Manager

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