

AGENDA ITEM #5  
June 30, 2009

**ACTION**

**MEMORANDUM**

June 26, 2009

TO: County Council

FROM: Linda McMillan, Senior Legislative Analyst 

SUBJECT: **ACTION:** Supplemental Appropriation to the FY09 Operating Budget  
Montgomery County Government  
Department of Police  
Motorpool Fund Non-Departmental Account  
Expansion of Speed Camera Program; \$2,907,250  
(Source of Funds: General Fund Reserves)

**Public Safety Committee Recommendation**

The Public Safety Committee will be holding a worksession on this supplemental on Monday, June 29<sup>th</sup>. No recommendation is available at this time.

**Updated Information to Public Safety Committee**

The Public Safety Committee reviewed this request at its June 25 session. Committee Chair Andrews asked the Department to review the request and see if a lesser amount of funding might be needed to cover the expected FY09 costs since the increase in the number of cameras started a bit later than originally expected.

The Office of Management and Budget has sent Council staff information that the \$41,250 continues to be the amount needed for the Motorpool NDA and that the Police Department needs \$1,929,240 in additional operating expense appropriation to cover the contractual costs associated with an additional 118,700 citations.

**Council staff recommends approval of this revised request.**

**Background (from June 25<sup>th</sup> PS Committee packet)**

The County Executive has requested a supplemental appropriation in the amount of \$2,907,250 to fund the costs of expanding the speed camera program during FY09. The Executive's request is attached at © 1-5.

As a part of the Council's FY10 operating budget actions, the Council approved the expansion of the speed camera enforcement program from 30 fixed pole cameras to 60 fixed pole cameras. In addition, the County operates 6 mobile camera vans as staffing allows. The Council was told that the Executive had authorized this expansion to begin during FY09 and that he was estimating \$4.9 million in additional FY09 revenues because of this expansion. The Executive's list of pending supplementals that would potentially use FY09 General Fund Reserve included the speed camera expansion. The Executive estimated the cost to be \$2,929,330.

At the June 9<sup>th</sup> public hearing, Captain Damskey informed the Council that the 60 cameras are in place at 37 sites throughout the county including 22 school zones (this does not include cameras or sites that are administered by municipalities.) The Council was provided with information on the process used by the Montgomery County Police Department to site cameras. Captain Damskey also informed the Council that traffic related fatalities are down 50% and the Department believes that the Safe Speed Program has played some role in this reduction.

**The issue before the Committee today is not the expansion of the Safe Speed Program as the Council has already approved the Executive's recommendation and it has been implemented. The question is whether the Police Department and Motorpool NDA need additional appropriation in order to meet the costs that have been incurred and will be incurred through the end of FY09.**

With regards to the Motorpool NDA, the FY09 3<sup>rd</sup> quarterly analysis provided to the Council on May 11<sup>th</sup> projected that the Motorpool NDA will end FY09 on budget, with neither a surplus nor deficit. Therefore, Council staff recommends approval of the supplemental appropriation of \$41,250 to the Motorpool NDA. Council staff notes that the \$41,250 is less than the amount assumed in April budget back-up documents (\$75,600 in capital outlay was the projected need.)

The FY09 3<sup>rd</sup> quarterly analysis also projected that the Police Department will end the year with a \$2,397,000 surplus. Council staff has reviewed the cost information in the financial warehouse and a very broad projection of all expense categories indicates that the Department could end the year with a \$3.5 million surplus. A large part of this is due to a potential \$1.8 million surplus in the benefits category. In addition, the Department has achieved savings because of the hiring freeze and the savings plan. From strictly an appropriation standpoint, it is not clear that the Police Department requires an additional \$2.866 million in appropriation to cover the costs of the FY09 camera expansion.

The Executive also assumed that the FY09 expansion would result in a \$4.9 million increase in FY09 revenues. The following table shows the originally assumed FY09 revenues, the actual revenues as of June 22 and the Department's projected revenues for the remainder of FY09. The projected amount is about \$1 million more than was assumed.

<b>Revenue Source</b>	<b>FY09 Approved Budget</b>	<b>As of June 22, 2009</b>
Speed Camera Citations	\$ 14,400,000	\$ 16,168,888
Late Fees	\$ 300,000	\$ 1,302,749
Flagging Fees	\$ 75,000	\$ 271,293
<b>TOTAL</b>	<b>\$ 14,775,000</b>	<b>\$ 17,742,930</b>
Projected revenue for additional citations issued through June 30, 2009		\$ 2,980,000
TOTAL projected FY09 Revenues		<b>\$20,722,930</b>
Difference from FY09 Original		<b>\$5,947,930</b>

Council staff suggests that the Committee has at least two options with regard to this request. (1) Approve the Executive's recommendation. This would ensure that there is sufficient appropriation in both the Motorpool NDA and the Police Department budget to cover all expenditures specifically associated with the Safe Speed Camera program. The disadvantage to this is that it is likely that the FY09 Approved Budget for the Police Department will be larger than needed. This will impact comparisons if one is comparing the growth in approved budgets but will not impact any comparison made to FY09 actual expenditures. (2) Appropriate \$41,250 to the Motorpool NDA and a lesser amount than requested to the Police Department. The Council could choose to appropriate an additional \$1.5 million to the Police Department which, along with the 3<sup>rd</sup> quarter projected surplus of \$2.4 million should be more than enough appropriation to cover the projected \$2.866 million increase in costs from the expansion of the speed camera program.

**Attached to this packet**

**Circle**

- Memo from Executive 1
- Approval resolution 2-3
- Supplemental request summary 4-5

*Best For + 2009*



*LAM*  
*cc*  
*SBF*  
*LL*  
*SJF*  
*010*

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

May 19, 2009

TO: Phil Andrews, President, County Council

FROM: Isiah Leggett, County Executive *[Signature]*

SUBJECT: Supplemental Appropriation #09-263 to the FY09 Operating Budget  
Montgomery County Government  
Department of Police  
Motor Pool Fund Contribution Non-Departmental Account  
Expansion of the Speed Camera Program, \$2,907,250

I am recommending a supplemental appropriation to the FY09 Operating Budget of the Department of Police in the amount of \$2,866,000 and the Motor Pool Fund Contribution Non-Departmental Account in the amount of \$41,250 to provide for the expansion of the Safe Speed Program.

This increase is needed because the Department of Police has initiated the expansion of the Safe Speed Program by adding 30 speed cameras to the existing 36 for a total of 66 cameras. As authorized by State Law (Chapter 15, 2006 Laws of Maryland), the Safe Speed Program has been operating since May 2007. The primary goal of the Safe Speed Program is to change driver behavior in an attempt to reduce the frequency and severity of speed-related collision and injuries. The Montgomery County Police Department developed this program to increase the effectiveness of speed enforcement in areas with recurring speeding problems. The Safe Speed Program will provide consistent speed enforcement that will allow police officers to devote their time to other law enforcement duties. The increase in the number of speed cameras is consistent with the primary goal of the Safe Speed Program.

I recommend that the County Council approve this supplemental appropriation in the amount of \$2,907,250 and specify the source of funds as General Fund Undesignated Reserve. This action is consistent with my Recommended FY10 Operating Budget.

I appreciate your prompt consideration of this action.

IL:kr

Attachments: Supplemental Appropriation #09-263

c: Joseph F. Beach, Director, Office of Management and Budget  
J. Thomas Manger, Chief of Police  
Kathleen Boucher, Assistant Chief Administrative Officer  
Alex Espinosa, Office of Management and Budget

REC'D MAY 19 2009 11:03

*(1)*

Resolution No: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Supplemental Appropriation #09-263 to the FY09 Operating Budget  
Montgomery County Government  
Department of Police  
Motor Pool Fund Contribution Non-Departmental Account  
Expansion of the Speed Cameras Program, \$2,907,250

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation recommended by the County Executive shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. The County Executive has requested the following FY09 Operating Budget appropriation increases for the Department of Police and the Motor Pool Fund Contribution Non-Departmental Account:

	<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
Police	\$ 59,110	\$2,806,890	\$ 0	\$2,866,000	General Fund Undesignated Reserves
Motor Pool Fund Contribution NDA	\$0	\$0	\$41,250	\$41,250	General Fund Undesignated Reserves

3. This increase is needed because the Department of Police has initiated the expansion of the Safe Speed Program by adding 30 speed cameras to the existing 36 for a total of 66 cameras. As authorized by State Law (Chapter 15, 2006 Laws of Maryland), the Safe Speed Program has been operating since May 2007. The primary goal of the Safe Speed Program is to change driver behavior in an attempt to reduce the frequency and severity of speed-related collision and injuries. The Montgomery County Police Department developed this program to increase the effectiveness of speed enforcement in areas with recurring speeding problems. The Safe Speed Program will provide consistent speed enforcement that will allow police officers to devote their time to other law enforcement duties. The increase in the number of speed cameras is consistent with the primary goal of the Safe Speed Program.
4. The County Executive recommends a supplemental appropriation to the FY09 Operating Budget in the amount of \$2,907,250 for the expansion of the Speed Camera Program, and specifies that the source of funds will be General Fund Undesignated Reserves.
3. Notice of public hearing was given, and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

A supplemental appropriation to the FY09 Operating Budget of the Department of Police and the Motor Pool Fund Contribution Non-Departmental Account is approved as follows:

	<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
Police	\$ 59,110	\$2,806,890	\$ 0	\$2,866,000	General Fund Undesignated Reserves
Motor Pool Fund Contribution NDA	\$0	\$0	\$41,250	\$41,250	General Fund Undesignated Reserves

This is a correct copy of Council action.

\_\_\_\_\_  
Linda M. Lauer, Clerk of the Council

**OPERATING BUDGET**

**SUPPLEMENTAL OR SPECIAL APPROPRIATION REQUEST SUMMARY**

1. Please fill in the following table:

Agency	Montgomery County Government
Department	Department of Police
Fund (County Government only)	General Fund
Fiscal year	09
Supplemental or Special	Supplemental
Operating or Capital budget	Operating

2. What is the amount and source of funding?

Source of funding (Please list sources)	Amount
General Fund – Speed Camera Revenues	\$2,907,250
Total request	\$2,907,250

3. Is the request one-time or continuing? If continuing and funded by a grant, what will you do when the grant ends?

This is a continuing funding request. The Safe Speed Program will continue to operate in FY10 utilizing the revenues generated by this program.

4. Please provide a brief description, justification, expected outcomes, and how the outcomes will be measured.

This increase is needed because the Department of Police has initiated the expansion of the Safe Speed Program by adding 30 speed cameras to the existing 36 for a total of 66 cameras. As authorized by State Law (Chapter 15, 2006 Laws of Maryland), the Safe Speed Program has been operating since May 2007. The primary goal of the Safe Speed Program is to change driver behavior in an attempt to reduce the frequency and severity of speed-related collision and injuries. The Montgomery County Police Department developed this program to increase the effectiveness of speed enforcement in areas with recurring speeding problems. The Safe Speed Program will provide consistent speed enforcement that will allow police officers to devote their time to other law enforcement duties. The increase in the number of speed cameras is consistent with the primary goal of the Safe Speed Program.

5. Please explain why you did not request this during the annual budget process.

The expansion of the Safe Speed Program was initiated after the FY09 was approved.

6. For your agency, what is the current fiscal year budget for the relevant fund and what is the latest estimate? (do not fill out if the appropriation is funded entirely by a non-County grant)

Budget for current fiscal year for the relevant fund	Not applicable
+ Supplemental/special appropriations already approved	Not applicable
= Revised budget for current fiscal year	Not applicable
Latest estimate of spending for current year	Not applicable

7. County Government only: For your department or fund, whichever is applicable, what is the current fiscal year budget and what is the latest estimate? (do not fill out if the appropriation is funded entirely by a non-County grant)

Budget for current fiscal year for the department:	\$240,313,050
+ Supplemental/special appropriations already approved	\$0
= Revised budget for current fiscal year	\$242,643,290
Latest estimate of spending for current year	\$240,245,990

AGENDA ITEM #5  
June 30, 2009

ACTION

ADDENDUM

**MEMORANDUM**

June 30, 2009

TO: County Council

FROM: Linda McMillan, Senior Legislative Analyst 

SUBJECT: **ACTION:** Supplemental Appropriation to the FY09 Operating Budget  
Montgomery County Government  
Department of Police  
Motorpool Fund Non-Departmental Account  
Expansion of Speed Camera Program; [\$2,907,250] \$1,970,490  
(Source of Funds: General Fund Reserves)

**Public Safety Committee Recommendation**

The Public Safety Committee held worksessions on June 25 and June 29, 2009 on this requested supplemental appropriation.

In response to a request from the Committee, the Office of Management and Budget provided information that \$41,250 continues to be the amount needed for the Motorpool NDA and that the Police Department needs \$1,929,240 in additional operating expense appropriation to cover the contractual costs associated with an additional 118,700 citations projected to be issued in FY09.

**The Public Safety Committee recommends (3-0) a supplemental appropriation of \$1,970,490; \$41,250 to be appropriated to the Motorpool NDA and \$1,929,240 to the Department of Police.**

**A revised approval resolution is attached.**

Resolution No: \_\_\_\_\_  
 Introduced: \_\_\_\_\_  
 Adopted: \_\_\_\_\_

COUNTY COUNCIL  
 FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Supplemental Appropriation #09-263 to the FY09 Operating Budget  
 Montgomery County Government  
 Department of Police  
 Motor Pool Fund Contribution Non-Departmental Account  
 Expansion of the Speed Cameras Program, [\$2,907,250] \$1,970,490

**Background**

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation recommended by the County Executive shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
  
2. The County Executive has requested the following FY09 Operating Budget appropriation increases for the Department of Police and the Motor Pool Fund Contribution Non-Departmental Account:

	<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
Police	\$ 59,110	\$2,806,890	\$ 0	\$2,866,000	General Fund Undesignated Reserves
Motor Pool Fund Contribution NDA	\$0	\$0	\$41,250	\$41,250	General Fund Undesignated Reserves

3. This increase is needed because the Department of Police has initiated the expansion of the Safe Speed Program by adding 30 speed cameras to the existing 36 for a total of 66 cameras (that include six mobile units.) As authorized by State Law (Chapter 15, 2006 Laws of Maryland), the Safe Speed Program has been operating since May 2007. The primary goal of the Safe Speed Program is to change driver behavior in an attempt to reduce the frequency and severity of speed-related collision and injuries. The Montgomery County Police Department developed this program to increase the effectiveness of speed enforcement in areas with recurring speeding problems. The Safe Speed Program will provide consistent speed enforcement that will allow police officers to devote their time to other law enforcement duties. The increase in the number of speed cameras is consistent with the primary goal of the Safe Speed Program.
4. The County Executive recommends a supplemental appropriation to the FY09 Operating Budget in the amount of \$2,907,250 for the expansion of the Speed Camera Program, and specifies that the source of funds will be General Fund Undesignated Reserves.
5. The Public Safety Committee reviewed the Executive's request at its June 25, 2009 session and asked the Police Department and Office of Management and Budget to review budget projections and determine if a lesser amount is needed to cover the cost associated with the additional citations being issued in FY09. On June 29, 2009, the Office of Management and Budget told the Committee that \$1,970,490 should be sufficient to cover the additional FY09 costs. The Public Safety Committee recommends \$41,250 be appropriated to the Motorpool Non-Departmental Account and \$1,929,240 be appropriated to the Department of Police. It was noted that the County Executive assumed additional FY09 costs and revenues in his FY10 Recommended Operating Budget.
6. Notice of public hearing was given, and a public hearing was held.

**Action**

The County Council for Montgomery County, Maryland, approves the following action:

A supplemental appropriation to the FY09 Operating Budget of the Department of Police and the Motor Pool Fund Contribution Non-Departmental Account is approved as follows:

Supplemental Appropriation #09-263  
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	<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
Police	\$ 0	\$1,929,240	\$ 0	\$1,929,240	General Fund Undesignated Reserves
Motor Pool Fund Contribution NDA	\$ 0	\$0	\$41,250	\$41,250	General Fund Undesignated Reserves

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council