

NB 5. DISCUSS EARMARKING FUNDS COLLECTED BY THE CITY FROM SPEED DETECTION SYSTEMS IN SCHOOL ZONES, PURSUANT TO SECTION 316.1896, FLORIDA STATUTES, FOR THE USE OF PUBLIC/PEDESTRIAN/BICYCLIST SAFETY INITIATIVES.

Applicable Area:

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Economic Resiliency Committee Members

FROM: Eric Carpenter, City Manager

DATE: February 21, 2025

TITLE: DISCUSS EARMARKING FUNDS COLLECTED BY THE CITY FROM SPEED DETECTION SYSTEMS IN SCHOOL ZONES, PURSUANT TO SECTION 316.1896, FLORIDA STATUTES, FOR THE USE OF PUBLIC/PEDESTRIAN/BICYCLIST SAFETY INITIATIVES.

RECOMMENDATION

In accordance with State law, and subsequent to the award, negotiation, and execution of a contract with a vendor for the installation and operation of Speed Detection Systems ("SDS") in school zones located within the City of Miami Beach ("City"), the City Administration ("Administration") recommends earmarking, in whole or in part, the revenue collected by the City from SDS-generated violations for the use of public/pedestrian/bicyclist safety initiatives.

BACKGROUND/HISTORY

In 2023, the Florida Legislature enacted Section 316.008(9), Florida Statutes, effective on July 1, 2023, pertaining to the use of Speed Detection Systems ("SDS") to enforce speed limits in school zones. The purpose of the SDS is to enhance the safety of school children and pedestrians by effectively enforcing speed limits in designated school zones. By employing advanced technology such as radar or cameras, the program aims to detect and deter speeding motorists, thereby reducing the risk of accidents and promoting a safer environment for students, parents, and school staff.

Section 316.008(9), Florida Statutes, authorizes municipalities to enact an ordinance regarding the placement or installation of SDS upon determining that the location of such system(s) warrants additional enforcement action based on traffic data and/or other evidence supporting the need for SDS in such location(s). Furthermore, the Florida Statute authorizes counties and municipalities to place or install, or contract with a vendor to place or install, SDS to enforce school zone speed limits for violations in excess of 10 miles per hour over the applicable speed limit and to enforce the posted speed limit at other times during the entirety of the school session.

As set forth in Florida Statute 316.1896, an individual issued a notice of violation for exceeding the speed limit in a school zone receives a \$100 fine. Once collected, \$60 of the \$100 fine is retained by the municipality, which funds (\$60) must be utilized by the municipality to administer SDS in school zones and for other public safety initiatives.

In January 2024, the Transportation and Mobility Department completed the Phase 1 School Zone Speed Study ("Phase 1 Speed Study") which evaluated vehicular speeds within 17 existing school zones in the City. The Phase 1 Speed Study determined that the following six (6) school zones associated with five (5) schools in the City are eligible for installation of SDS pursuant to the criteria established in the Florida Statute.

1. School Zone 1 – Alton Road from north of 4 Street to 180 feet south of 2 Street (South Pointe Elementary School)

2. School Zone 8 – Dade Boulevard from Prairie Avenue to approximately 23 Street (Miami Beach Senior High School)
3. School Zone 9 – Prairie Avenue from north of Dade Boulevard to approximately 2500 Prairie Avenue (Miami Beach Senior High School)
4. School Zone 10 – 41 Street from east of Alton Road to west of Royal Palm Avenue (North Beach Elementary School)
5. School Zone 14 – Meridian Avenue from 43 Court to north of 41 Street (Miami Beach Nautilus Middle School)
6. School Zone 17 – Pine Tree Drive from 23 Street to approximately 2500 Pine Tree Drive (Hebrew Academy)

Pursuant to the Florida Statute, on April 3, 2024, the Mayor and City Commission (“City Commission”) adopted Ordinance No. 2024-4613 authorizing the placement, installation, and operation of SDS in the designated school zones within the City in accordance with the Phase 1 Speed Study, and creating procedures for the issuance of notice of violations for school zone speeding infractions.

Additionally, on April 3, 2024, the City Commission authorized the issuance of Request For Proposals (“RFP”) 2024-274-DF for installation, operation, and maintenance of SDS for school zones. On April 5, 2024, said RFP was issued.

On November 20, 2024, the City Commission was slated to consider a resolution (item C2 A) accepting the recommendation of the City Manager authorizing the Administration to enter into negotiations with the top-ranked vendor pursuant to RFP 2024-274-DF; however, the City Commission referred the item to the Finance and Economic Resiliency Committee (“FERC” or “Committee”) for discussion prior to award. The award, negotiation, and execution of a contract with a vendor for the installation, operation, and maintenance of SDS for school zones in the City, pursuant to RFP 2024-274-DF, was directed to be readvertised at the February 3, 2025 Commission meeting and is currently out for solicitation and under the cone of silence.

Additionally, on November 20, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred an item (C4 K) to the FERC to discuss potentially earmarking a portion of the revenue collected by the City from SDS violations for the use of public/pedestrian/bicyclist safety initiatives.

The discussion item (NB 24) was not reached during the December 20, 2024 FERC meeting.

ANALYSIS

Pursuant to Florida Statute 316.1896, the revenue collected by the City from violations resulting from the installation and operation of SDS in school zones may be allocated to administer SDS in school zones and for the use of public safety initiatives, including bicycle/pedestrian safety.

FISCAL IMPACT STATEMENT

There is uncertainty regarding the estimated revenue anticipated to be generated from the upcoming SDS operation. As the contract has yet to be awarded and negotiated, it is unclear as to when the equipment will be installed and become fully operational.

Does this Ordinance require a Business Impact Estimate? (FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

TBD

CONCLUSION

In accordance with State law, once a contract with a vendor for the installation and operation of SDS in school zones located within the City is awarded, negotiated and executed, the Administration recommends earmarking, in whole or in part, the revenue collected by the City from SDS-generated violations for the use of public/pedestrian/bicyclist safety initiatives.

Applicable Area

Citywide

Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?

If so, specify the name of lobbyist(s) and principal(s): N/A

Department

Transportation and Mobility

Sponsor(s)

Commissioner Alex Fernandez

Co-sponsor(s)

Condensed Title

Discuss Earmarking Funds from Speed Detection Systems in School Zones.



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner Alex Fernandez

DATE: November 20, 2024

TITLE: REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS EARMARKING FUNDS COLLECTED BY THE CITY FROM SPEED DETECTION SYSTEMS IN SCHOOL ZONES, PURSUANT TO FLA. STAT. 316.1896, FOR THE USE OF PUBLIC/PEDESTRIAN/BICYCLIST SAFETY INITIATIVES.

RECOMMENDATION

Please place on the November 20, 2024 City Commission agenda a referral to the Finance and Economic Resiliency Committee (FERC) to discuss potentially earmarking funds collected by the City from Speed Detection Systems in School Zones, pursuant to Fla. Stat. 316.1896, for the use of public/pedestrian/bicyclist safety initiatives.

In 2023, the Florida legislature adopted Fla. Stat. § 316.1896 which authorizes municipalities to install Speed Detection Systems in School Zones (SDS Systems) to enforce school zone speed limits through the utilization of speed detection cameras. Then, after the completion of Phase 1 of a school speed zone study, the Mayor and City Commission adopted Ordinance No. 2024-4613, on April 8, 2024, which authorizes the placement, installation, and operation of SDS Systems in designated School Zones within the City and creates procedures for the issuance of notice of violations for school zone speeding infractions.

To that end, as set forth in Fla. Stat. § 316.1896, an individual issued a notice of violation for exceeding the speed limit on a roadway maintained as school zone receives a \$100 fine. Once collected, \$60 of the \$100 fine is retained by the municipality (City), which funds (\$60) must be utilized by the municipality to administer speed detection systems in school zones and for other public safety initiatives.

Accordingly, I would request that the City Administration be prepared at Committee to discuss potentially earmarking a portion of the funds collected by the City from SDS Systems for the use of public/pedestrian/bicyclist safety initiatives.

BACKGROUND/HISTORY

ANALYSIS

FISCAL IMPACT STATEMENT

n/a

Does this Ordinance require a Business Impact Estimate?
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

**Is this a "Residents Right to Know" item,
pursuant to City Code Section 2-17?**

Yes

**Is this item related to a G.O. Bond
Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481,
includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

Department

Office of Commissioner Alex Fernandez

Sponsor(s)

Commissioner Alex Fernandez

Co-sponsor(s)

Condensed Title

Ref: FERC - Earmark School Zone Speeding Fines for Public/Peds/Bicyclist Safety Initiatives.
(Fernandez)