



City of San Leandro

Meeting Date: July 16, 2018

Staff Report

File Number: 18-285

Agenda Section: ACTION ITEMS

Agenda Number: 10.B.

TO: City Council

FROM: Jeff Kay
Acting City Manager

BY: Tom Liao
Community Development Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: Staff Report for an Ordinance to Amend the City of San Leandro Municipal Code Title 6, Chapter 6-2 and a Resolution to Amend the City of San Leandro Administrative Code, adding Title 8, Chapter 14 for updates to parking definitions and regulations related to an Employee Parking Permit Program.

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council consider and approve the proposed ordinance to amend the Municipal Code to add regulations involving parking, specifically to add an Employee Parking Permit Program. Staff also recommends that the City Council consider the proposed resolution to amend the Administrative Code to add regulations regarding the Employee Parking Permit Program. In summary:

- Amend Article 4 of Chapter 6-2 of Title VI (6-2-400) of the City of San Leandro Municipal Code to add an Employee Parking Permit Program.
- Add Chapter 14 to Title VIII (8-14) of the San Leandro Administrative Code to administer an Employee Parking Permit Program.

BACKGROUND AND ANALYSIS

The City of San Leandro recently completed a Downtown Parking Management Plan (DPMP) to guide policies and regulations for parking in Downtown San Leandro. The San Leandro Downtown Parking Management Plan was funded by a grant from the Sustainable Communities Technical Assistance Program (SC-TAP) of the Alameda County Transportation Commission (ACTC). The plan analyzed parking inventory, utilization, and turnover in the core downtown and periphery areas. The data includes BART riders, employees of downtown businesses, shoppers, and residents who use parking either for short durations or all-day.

With better understanding of parking patterns, on July 17, 2017, the City Council approved the DPMP with a strategy to aid future land-use and economic development decisions, and increase the sustainability of the Downtown area. On July 17, 2017, the City Council also approved a Consulting Services Agreement with Dixon Resources Unlimited (DIXON) for oversight of the Downtown San Leandro parking system and guided implementation of the City's new DPMP. The implementation of the DPMP is funded through the appropriation of \$600,000 from the Successor Agency to the City of San Leandro Redevelopment Agency's 2008 Bond Funds to the City of San Leandro Parking Fund's 2017-18 Operating Expenditure.

The DPMP included proposed regulations, rates and time restrictions for the Downtown Parking Garage, on-street parking and off-street public parking lots. Staff has worked with DIXON to establish an implementation plan that incorporates the DPMP recommendations with technology and operational solutions. As a result, a thorough assessment of the City of San Leandro Code was conducted and the proposed amendments to Title 6, Chapter 6-2 of the Municipal Code, as well as the addition of Title 8, Chapter 14 of the Administrative Code, are intended to improve the management of the San Leandro public parking system.

The proposed changes will allow for a more efficient and manageable parking program that will address chronic abuses and loopholes within the existing system. The amended codes are intended to promote compliance with City parking regulations and to improve the overall public parking experience.

Employee Parking Permit Program

Convenient public parking in Downtown San Leandro should be accessible and available to customers and visitors. Utilization of these spaces by employees can cause congestion in the downtown area, specifically in retail centers. Long-term parking by non-customers threatens the access to and success of Downtown San Leandro businesses. The Employee Parking Permit Program is intended to designate areas where employees can park long-term to allow the most convenient parking to remain available for customers. The proposed amendments to Title 6, Article 4 of the San Leandro Municipal Code and Title 8, Chapter 14 of the San Leandro Administrative Code will provide for an Employee Parking Permit Program in which downtown employees may obtain a permit to be able to park long-term in designated employee parking areas.

Employees of downtown businesses may park all day in the Estudillo Parking Garage, located along Estudillo Avenue, east of East 14th Street. However, in an effort to provide additional convenient parking options for local businesses, additional locations may be designated for long-term employee parking. The first proposed employee parking designated location will be the east side of Hays Street between West Juana Avenue and West Estudillo Avenue. This designated parking area will provide employees, particularly nearby Washington Plaza employees, an additional 30 employee parking spaces. Additional employee parking areas may be designated as needed. Although it is not especially common for cities to reserve on-street parking spaces for employees, in this instance staff believes that doing so will provide a convenient option for certain retail employees while opening up the most desirable spaces for shoppers at nearby businesses.

The proposed code changes are a comprehensive and foundational approach to improve the parking experience in San Leandro. The amended code provides for continued City Council oversight of the Downtown parking system, and provides flexibility and options to adapt for the City's growing and evolving community.

If the proposed amendments are approved by the City Council, staff will complete a strategic information campaign that includes public notices, signage and messaging, coordinated outreach with the commercial businesses and proactive warnings.

Previous Actions

On September 19, 2016, the City Council, acting as the governing body of the Successor Agency to the City of San Leandro Redevelopment Agency, approved the transfer of \$600,000 in former Redevelopment Agency bond funds to the City of San Leandro for implementation of parking improvements.

On July 17, 2017, the City Council approved the San Leandro Downtown Parking Management Plan and Recommendations for Short-term Parking Action Plan.

On July 17, 2017, the City Council authorized the City Manager to Execute a Consulting Services Agreement with Dixon Resources Unlimited in the amount of \$130,000 for Oversight of the Downtown San Leandro parking system and Guided Implementation of the City's New Downtown Parking Management Plan, and to approve appropriation of \$600,000 from the Successor Agency to the City of San Leandro Redevelopment Agency's 2008 Bond Funds to the City of San Leandro Parking Fund's 2017-18 Operating Expenditure.

On February 20, 2018, the City Council approved an ordinance to amend the City of San Leandro Municipal Code Title 6, Chapters 6-1 and 6-2 to update definitions and regulations.

Current Agency Policies

City Council Goals:

- Place San Leandro on a firm foundation for long-term fiscal sustainability.
- Advance projects and programs promoting sustainable economic development, including transforming San Leandro into a center for innovation.
- Maintain and enhance San Leandro's infrastructure.

Applicable General Plan Policies

Policy T-1.7 Off-street Parking Standards. Implement variable parking standards that reflect such factors as proximity to transit, type of occupancy (seniors, etc.), number of bedrooms (for housing), and the expected level of parking demand. Parking requirements should reflect the City's goal of reducing vehicle miles traveled.

Policy T-5.7 Technology and Roadway Efficiency. Use technology, including smart phone applications, roadway sensors, and real-time data on congestion, travel time, and parking supply to create a more efficient transportation system, and to maximize the benefits of the existing road system before investing in its expansion.

Policy ED-4.5 Downtown San Leandro. Implement parking management strategies that ensure

that convenient parking is available for shoppers and restaurant patrons in Downtown San Leandro.

Legal Analysis

The ordinance to amend the City of San Leandro Municipal Code Title 6, Chapter 6-2, and resolution to amend City of San Leandro Administrative Code Title 8, Chapter 14, has been reviewed by the City Attorney's Office and approved as to form.

Fiscal Impacts

As noted above, the City has \$600,000 in former Redevelopment Agency bond funds for implementation costs associated with parking consulting services and capital.

Budget Authority

Funding allocation for the Downtown Parking Management Implementation Plan:

- 1) \$600,000 -Parking Fund, Account No. 132-35-003-5120

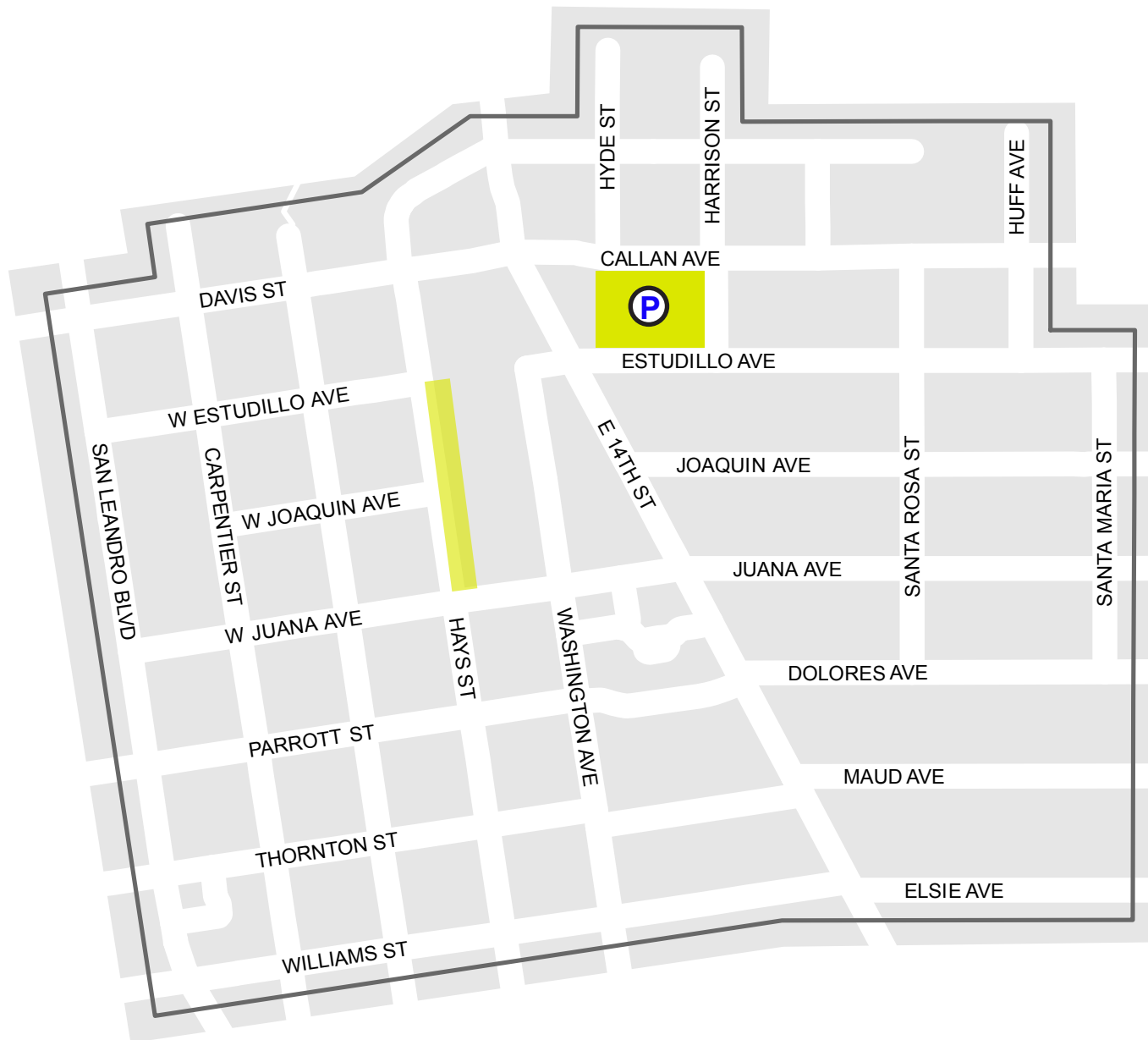
ATTACHMENT(S)

Attachment(s) to Related Legislative Files

- Attached to Staff Report
 - *Downtown Employee Parking Map*
 - *Ordinance Amending Municipal Code*
 - *Resolution Amending Administrative Code*
- Attached to Ordinance
 - *Exhibit A - Proposed Changes to Title 6, Chapter 6-2 of the San Leandro Municipal Code*

PREPARED BY: Mariana Garcia, Economic Development Specialist, Community Development Department

DOWNTOWN EMPLOYEE PARKING MAP





City of San Leandro

Meeting Date: July 16, 2018

Resolution - Council

File Number: 18-311

Agenda Section: ACTION ITEMS

Agenda Number:

TO: City Council

FROM: Jeff Kay
Acting City Manager

BY: Tom Liao
Community Development Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: RESOLUTION to add Title 8, Chapter 14 to the City of San Leandro Administrative Code, to establish guidelines for an Employee Parking Permit Program

WHEREAS, the City Council adopted an ordinance amending the City of San Leandro Municipal Code to establish an Employee Parking Permit Program to alleviate parking congestion in commercial areas; and

WHEREAS, it is necessary to establish guidelines for the establishment of on-street areas that will be subject to the Employee Parking Permit Program.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SAN LEANDRO DOES RESOLVE AS FOLLOWS:

1. Title 8, Chapter 14 is added to the City of San Leandro Administrative Code to read as follows:

Chapter 14 Employee Parking Permit Program

§8.14.100: INITIAL PROCESS.

The addition of a designated employee parking permit area to the City's Employee Parking Permit Program may be initiated by the City Manager or the Engineering and Transportation Director pursuant to any administrative guidelines adopted by the City Manager or Engineering and Transportation Director.

§8.14.105: ESTABLISHMENT AND REVOCATION OF AN EMPLOYEE PARKING PERMIT AREA.

The City Manager or Engineering and Transportation Director may establish a designated employee parking permit area in a location that satisfies the requirements of any

administrative guidelines established by the City Manager or Engineering and Transportation Director. A designated employee parking permit area that has been added to the City's Employee Parking Permit Program may be revoked by the City Manager or Engineering and Transportation Director utilizing administrative guidelines established by the City Manager or Engineering and Transportation Director.

§8.14.110: EMPLOYEE PARKING PERMIT.

(a) The City Manager or the Engineering and Transportation Director shall issue employee parking permits with a term not to exceed one year to employees that comply with the requirements set forth in this Chapter and any relevant administrative guidelines established by the City Manager or the Engineering and Transportation Director.

(b) An employee parking permit shall only be issued to an applicant who can demonstrate that he or she is currently an employee of the designated employee parking permit area, as determined by the City Manager or Engineering and Transportation Director, for which the permit is to be issued.

(c) Proof of motor vehicle ownership or vehicle use and control and valid registration shall be demonstrated in a manner acceptable to the City Manager or the Engineering and Transportation Director. Permits are not valid for non-motorized vehicles (i.e. trailers).

(d) The City Manager may limit the number of permits issued to any person if such limitation would further the goals of the Employee Parking Permit Program.

§8.14.115: EMPLOYEE PARKING PERMIT ONLINE APPLICATION AND QUALIFICATIONS.

(a) Applicants seeking an employee parking permit for a designated employee parking permit area must create an account using the City's online permitting system to purchase an employee parking permit.

(b) Applicant(s) must provide the following to qualify for an employee parking permit:

(a) Proof of employment, as defined by the City Manager and or the Engineering and Transportation Director.

(b) Proof of employment at a business that is eligible for a permit based on location in proximity to a designated employee parking permit area.

§8.14.120: MAXIMUM NUMBER OF VEHICLES REGISTERED PER PERMIT.

The maximum number of vehicles that may be registered by an employee per permit shall be established by the City Manager or the Engineering and Transportation Director.

§8.14.125: PARKING PERMIT FEES.

The annual fee and renewal fee for employee parking permits, or any other parking permit designated by the City Council, shall be established by City Council resolution.



City of San Leandro

Meeting Date: July 16, 2018

Ordinance

File Number: 18-286

Agenda Section: ACTION ITEMS

Agenda Number:

TO: City Council

FROM: Jeff Kay
Acting City Manager

BY: Tom Liao
Community Development Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: ORDINANCE of the City Council for the City of San Leandro to Amend Title 6, Chapter 6-2 of the San Leandro Municipal Code Relating to San Leandro Parking Regulations for an Employee Parking Permit Program

WHEREAS, the San Leandro Downtown Parking Management Plan was funded by the Sustainable Communities Technical Assistance Program (SC-TAP) of the Alameda County Transportation Commission (ACTC); and

WHEREAS, the goal of the Downtown Parking Management Plan is to improve utilization by understanding how parking policies impact user groups in Downtown San Leandro and to adopt a strategy that will enhance future land-use and economic development decisions; and

WHEREAS, the City Council provided comments and feedback on the draft Downtown Parking Management Plan at a City Council Work Session on May 23, 2016; and

WHEREAS, the City Council approved the Downtown Parking Management Plan on July 17, 2017; and

WHEREAS, the City Council approved a Consulting Services Agreement between the City of San Leandro and Dixon Resources Unlimited to implement the Downtown Parking Management Plan; and

WHEREAS, staff recommends amendments and additions to the City of San Leandro Municipal Code to ensure adequate enforcement of local ordinances related to Employee Parking in Article 4 of Title 6, Chapter 6-2.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN LEANDRO DOES ORDAIN as follows:

SECTION 1. RECITALS. The above recitals are true and correct and made a part of this ordinance.

SECTION 2. CEQA. Approval of the amendments is exempt from further environmental review under the general rule in California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) that CEQA only applies to projects that have the potential for causing a significant effect on the environment. As a series of text amendments and additions, it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

SECTION 3. AMENDMENT OF CODE. Title 6, Chapter 6-2 of the San Leandro Municipal Code are hereby amended to read as provided in Exhibit A, which is incorporated herein and made a part hereof, with additions in underline and deletions in strikethrough text and Chapter 6-2, Article 4. Electric Vehicle Charging Stations and Sections 6-2-400, 6-2-405, and 6-2-410 are renumbered as Article 5, Electric Vehicle Charging Stations and Sections 6-2-500, 6-2-505, and 6-2-510.

SECTION 4. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Leandro hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

SECTION 5. EFFECTIVE DATE AND PUBLICATION. This ordinance shall take effect thirty (30) days after adoption. The City Clerk is directed to publish the title once and post a complete copy thereof on the City Council Chamber bulletin board for five (5) days prior to adoption.

Exhibit A

ARTICLE 4. EMPLOYEE PARKING PERMIT PROGRAM

6-2-400 SHORT TITLE.

This Article shall be known as the “Employee Parking Permit Program.”

6-2-405 PURPOSE.

Convenient public parking in San Leandro should be accessible and available to customers and visitors. Utilization of these spaces by employees can cause congestion in commercial areas, specifically in retail centers. Long-term parking by non-customers threatens the access to and success of San Leandro businesses. In order to protect and promote the integrity of these businesses, it is necessary to enact parking regulations designating certain streets as employee parking permitted areas. The Employee Parking Permit Program is intended to regulate where employees can park long-term to allow convenient parking to remain available for customers.

6-2-410 DEFINITIONS.

Unless the context otherwise requires, the terms used in the Article shall have the following meanings:

(a) “Designated employee parking permit area” means any contiguous area upon which the City Manager or Engineering and Transportation Director imposes parking limitations pursuant to the authority granted by this Article.

(b) “Employee vehicle” means a motor vehicle that has been issued an employee parking permit, pursuant to the terms and conditions of this Article, for a specific designated employee parking permit area.

6-2-415 PARKING PERMIT EXEMPTION.

(a) An employee vehicle shall be permitted to stand or be parked in the designated employee parking permit area for which the permit has been issued with limited time restrictions established pursuant to this Article or any administrative guidelines adopted hereunder. Any vehicle that has not been issued a valid employee parking permit shall be subject to the employee parking permit regulations and consequent penalties in effect for such designated employee parking permit area.

(b) An employee parking permit or any other permit as designated by the City Manager shall not guarantee or reserve to the holder thereof an on-street parking space within the designated employee parking permit area.

(c) This Article shall not be interpreted or applied in a manner that shall abridge or alter regulations established by authority other than this Article.

6-2-420 DESIGNATION OF A DESIGNATED EMPLOYEE PARKING PERMIT AREA.

The City Council shall establish administrative guidelines for the consideration of the designation of designated employee parking permit areas.

6-2-425 ISSUANCE OF PERMITS.

(a) The City Council shall establish administrative guidelines for the issuance of permits for employee vehicles to utilize designated employee parking permit areas consistent with the requirements of this Article and any resolutions adopted by the City Council.

(b) Employee parking permits shall be issued in accordance with any administrative guidelines established by the City Council.

6-2-430 EMPLOYEE PARKING PERMIT.

(a) The City Manager or the Engineering and Transportation Director shall issue employee parking permits, with a term not to exceed one year, for employee vehicles to employees that are eligible for an employee parking permit.

(b) An employee parking permit shall only be issued to an applicant who is qualified under the administrative guidelines established pursuant to this Article for an employee vehicle in a designated employee parking permit area.

(c) Proof of motor vehicle ownership or vehicle use and control and valid registration shall be demonstrated in a manner acceptable to the City Manager or the Engineering and Transportation Director. Permits are not valid for non-motorized vehicles (i.e. trailers).

(d) The City Manager may limit the number of permits issued to any person if such limitation would further the goals of the Employee Parking Permit Program.

6-2-435 ESTABLISHMENT OF DESIGNATED EMPLOYEE PARKING PERMIT AREA.

Upon establishment of a designated employee parking permit area, street parking in the area shall be limited for a period designated by the City Manager or Engineering and Transportation Director; provided, however, that parking shall be allowed by employee vehicles in eligible designated employee parking permit areas.

6-2-440 POSTING OF DESIGNATED EMPLOYEE PARKING PERMIT AREA.

Upon establishment of a designated employee parking permit area, the Engineering and Transportation Director, or his or her designee, shall cause appropriate signs to be erected in the designated employee parking permit area, indicating prominently thereon the area prohibition or time limitation, period of its application, and conditions under which a vehicle shall be exempt therefrom.

6-2-445 PARKING PERMIT FEES.

The annual fee and renewal fee for parking permits for employee vehicles, or any other parking permit designated by the City Council shall be established by City Council resolution.

6-2-450 PENALTIES, LIABILITY AND ENFORCEMENT.

This Chapter shall be enforced pursuant to Chapter 1-12 of the San Leandro Municipal Code. The following acts shall constitute fraudulent use of a permit punishable by a fine to be prescribed by City Council resolution and/or revocation of any permit currently held. Violations of this Article shall include, but are not limited to, the following:

(a) Falsely representing oneself as eligible for a parking permit or furnishing false information in an application therefor.

(b) Knowingly committing any act that is prohibited by the terms of this Chapter or any ordinance, resolution, or administrative guidelines enacted by authority granted by this Chapter.

6-2-455 REVOCATION OF DESIGNATED EMPLOYEE PARKING PERMIT AREA.

A designated employee parking area may be revoked by the City Manager or Engineering and Transportation Director utilizing any administrative guidelines adopted by the City Council.

6-2-460 ADMINISTRATIVE REGULATIONS.

The City Manager and Engineering and Transportation Department are empowered to issue rules and regulations consistent with this Chapter.