



City of San Leandro

Meeting Date: February 4, 2019

Staff Report

File Number: 19-011

Agenda Section: CONSENT CALENDAR

Agenda Number: 8.E.

TO: City Council

FROM: Jeff Kay
City Manager

BY: Tom Liao
Community Development Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: Staff Report for a City of San Leandro City Council Ordinance to Amend the City of San Leandro Municipal Code Title 6, Chapter 6-1-825 of the San Leandro Municipal Code Relating to San Leandro Parking Aides

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council introduce the proposed ordinance to amend Municipal Code provisions updating definitions and regulations involving parking aides.

Section 6-1-825 of the Municipal Code currently allows only Police Department employees to perform enforcement. The Police Department has limited capacity to monitor and enforce parking restrictions City-wide, and particularly in the San Leandro Downtown Parking Garage and other time-restricted parking areas. Currently, two part-time Parking Aides are assigned to parking enforcement. If this ordinance is approved, staff intends to evaluate the feasibility of retaining a private contractor, to conduct parking enforcement.

BACKGROUND

Parking enforcement is important to the City for two primary reasons. First, the San Leandro Downtown Parking Garage and surrounding paid parking lots were developed with the objective that the parking fees collected cover the full cost of the facility. Ensuring that users of the facility and adjacent lots are paying for parking is critical to meeting this objective. Robust enforcement is important to ensure all vehicles parked in these lots have paid a daily or monthly fee.

The second primary objective of enhanced enforcement of parking regulations is to support economic development and maximize the efficiency of the City's overall parking system. Ensuring that short-term parking spaces are not occupied by cars parking for longer than the stated limits provides opportunities for customers to have access to parking proximate to businesses.

The two part-time Parking Aides who are assigned to parking enforcement have other assigned traffic duties. Additionally, it has been challenging for the City to maintain full staffing of the five budgeted part-time positions. As with the current status, it is common for the City to have multiple vacancies at any given time, which negatively impacts the effectiveness of the operation and requires constant attention via the recruitment and onboarding processes. The current structure provides inconsistent enforcement of the San Leandro Downtown parking garage and infrequent enforcement of time-restricted parking in the downtown.

Analysis

On October 5, 2018 the City of San Leandro released a Request for Proposals (RFP) to evaluate private contractor's ability to provide parking enforcement services for the City of San Leandro.

Staff research finds that retaining a private contractor to enforce local parking regulations is a feasible solution, given the current limited capacity of the City to perform this service. Other California cities currently use private contractors to enforce local parking regulations (e.g. City of Vallejo, City of Antioch, and City of Union City).

This approach could include a requirement that the existing two part-time Parking Aides be offered employment with the private contractor.

The next step for this proposed approach is to amend the Municipal Code to allow other City employees and contractors to enforce the local parking regulations as designated by the Chief of Police.

City staff identified third party contracting, or the employment of other City employees as designated by the Chief of Police, as potential resources to ensure adequate enforcement of the local ordinance governing parking enforcement of vehicles within the City. The utilization of these resources may lead to more effective parking enforcement and compliance.

In order to establish this approach, the City of San Leandro Municipal Code needs to be amended to include other City employees and contractors (Exhibit A).

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.

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. The City Council and the Successor Agency also approved 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 related to parking.

On September 4, 2018, the City Council approved an ordinance to amend the City of San Leandro Municipal Code Title 6, Chapter 6-2 and the City of San Leandro Administrative Code to update parking definitions and regulations related to an Employee Parking Permit Program.

Legal Analysis

The ordinance to amend the City of San Leandro Municipal Code Title 6, Chapter 6-1-825, was reviewed by the City Attorney's Office and approved as to form.

Fiscal Impacts

None.

ATTACHMENT(S)

Attachment(s) to Related Legislative Files

- Attachment to Ordinance:
 - Exhibit A - *Proposed Changes to Title 6, Chapter 6-1-825 of the San Leandro Municipal Code*

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



City of San Leandro

Meeting Date: February 4, 2019

Ordinance

File Number: 19-012 **Agenda Section:** CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Jeff Kay
City Manager

BY: Tom Liao
Community Development Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: ORDINANCE of the City of San Leandro City Council to Amend Title 6, Chapter 6-1-825 of the San Leandro Municipal Code Relating to San Leandro Parking Aides

The City Council of the City of San Leandro does **ORDAIN** as follows:

SECTION 1. PURPOSE.

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, City Staff recommends amendments and additions to the City of San Leandro Municipal Code to ensure adequate enforcement of local ordinances in Article 4 of Title 6, Chapter 6-1-825.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN LEANDRO DOES ORDAIN as provided in the attached Exhibit A.

SECTION 2. AMENDMENT OF CODE. Title 6, Chapter 6-1-825 of the San Leandro Municipal Code is hereby amended as provided in Exhibit A, which is incorporated herein and made a part hereof.

SECTION 3. 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 4. 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
San Leandro Municipal Code
Proposed Changes

CHAPTER 6-1 TRAFFIC CONTROL

ARTICLE 8. MISCELLANEOUS

6-1-825 PARKING AIDES.

- (a) The Chief of Police is hereby authorized to designate regularly employed and salaried employees of the Police Department as Parking Aides.
 - (b) Parking Aides shall enforce the provisions relating to regulation of traffic and to stopping, standing and parking of vehicles contained in Title VI of the San Leandro Municipal Code of 1957, the San Leandro Traffic Code and in the [Vehicle Code](#) of the State of California.
 - (c) Civilian employees of the City of San Leandro or independent contractors designated by the Chief of Police may enforce provisions of this title and the California Vehicle Code relating to the standing or parking of vehicles that legally may be enforced by persons other than peace officers.
- ~~—(e) Pursuant to the provisions of § 836.5 of the [Penal Code](#) of the State of California, an employee designated a Parking Aide is authorized to arrest a person without a warrant, or to issue a citation to such person, whenever such employee has reasonable cause to believe that the person has committed a misdemeanor or an infraction, in the presence of such employee, which is a violation of a statute or ordinance which, under the provisions of this section, such employee has the duty to enforce.~~