



City of San Leandro

Meeting Date: March 4, 2019

Ordinance

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

Agenda Number: 8.C.

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.~~