

MEETING DATE: 1/23/12

AGENDA ITEM: Adoption of a Resolution Establishing a Citywide Valet Parking Program and Related Procedures, Regulations and Fees and Rescinding Resolution No. 2009-R052

ATTACHMENTS

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CULVER CITY

DOWNTOWN CITYWIDE VALET PARKING PROGRAM

PROCEDURES AND REGULATIONS

INTRODUCTION

The primary purpose of public streets and rights-of-way is for the safe and efficient movement of people and goods in a variety of modalities, including passenger vehicles, public transit, bicycle, and pedestrian traffic, among others. The City recognizes that the use of public streets and rights-of-way for valet parking operations, while providing a public benefit, may also cause friction or impede travel, and in the absence of supervision and punitive consequences, may affect the public safety and create a public nuisance. The City, therefore may issue permits and restrict valet parking operations as a special privilege, not as a matter of right. The approval of any permit for the use of the public right-of-way is on a temporary and nonpermanent basis and is for a nonexclusive use of that public right-of-way. Permittees shall have neither property interest in nor any entitlement to the granting or continuation of any permit for the use of any public right-of-way.

PURPOSE

The parking supply is a scarce resource and would be insufficient to provide adequate curb-space for each individual business that desires valet parking and still leave adequate street parking for short-term turn-over parking for other businesses' patrons. Because of this, the concept of universal valet parking serving a business community is the most favorable scenario for all, where all businesses in a given area share in the benefits. Additionally, the program creates the potential for valet operations to use off-street private parking spaces during evenings, nights, and weekends, when parking demand at such private parking spaces might be low or non-existent. This, in turn, prevents the parking demand in an active business district from creating a parking intrusion problem on adjacent residential neighborhoods or a burden on street-side public parking spaces, making such parking spaces more readily available for short-term self-parking turn-over.

DEFINITIONS

For the purpose of this program, unless it is evident from the context that a different meaning is intended, certain terms used herein are defined as follows:

1. "Application" shall mean all the filled out forms, maps, statements, submittals, and payment of fees.
2. "Business Association" shall mean an organization, association or group selected or formed by the businesses of a block or area.
3. "Business Representative" shall mean the individual selected by the Business Association to act on their behalf for the purposes of coordinating the Downtown Valet Parking Program participation request and process.
4. "City Engineer" shall mean the City Engineer of the City of Culver City or designee
5. "Engineering Division" shall mean the Engineering Division of the Public Works Department
6. "Motor Vehicle" shall mean a vehicle that is self-propelled and meets the definition of a "Motor Vehicle" in the California Vehicle Code Division 1. 415.
7. "Operator" shall mean the valet parking service hired by the Sponsor to operate the valet parking area(s)
8. "Permit" shall mean the biannual permit issued to the Sponsor by the City Engineer for the operation of valet parking area(s).
9. "Petition" shall mean the document narrative with signature lines executed by 100% of the business owners and 100% of the property owners immediately adjacent to an area proposed by the Applicant to be considered by the City for valet parking area(s), and a minimum of 75% the other businesses owners and 75% of the other property owners on the block, that are not immediately adjacent to the proposed valet parking area(s).
10. "Program" shall mean the Culver City ~~Downtown~~ Valet Parking Program
11. "Public right-of-way" shall mean the area dedicated for public use as a public street, pedestrian way, or other thoroughfare, including but not limited to, roadways, parkways, alleys, and sidewalks.
12. "Sponsor" shall mean the permit holder (a member of the Business Association) who operates, or causes to be operated, valet parking station(s) at

the business location(s)

13. "Street" shall mean open to the public use for vehicular traffic.
14. "Valet parking operation" shall mean the receiving, taking possession of, driving, moving, parking or leaving standing, any vehicle that is left at one location (valet parking station) to be driven to another location for parking, whether or not a charge is levied, and whether or not done under contract to the business or organization for which the vehicles are being parked, or done independently. It does not include operators of public or private off-street parking operations or facilities where customers park their own vehicles and remove the keys themselves.
15. "Valet Parking Plan" shall mean:
 - a. Written plan and map to scale, illustrating the proposed valet parking station, sidewalk width, parkway, landscaping, trees, meter, posts, pull boxes, and all other street furniture at the site, as well as the proposed routes to/from the valet parking stations and parking lot(s);
 - b. The illustration of the podium and signage placement during the hours of operation, wayfinding signage being proposed, as well as the placement of occasional use umbrella and 10-feet by 10-feet collapsible canopy with non-surface-mounted anchor weights, as well as dimensioned graphics and colors of all proposed signage;
 - c. The width and configuration of the adjacent traffic lanes to the middle of the roadway, minimum, and the identification of all existing signage, bus stops/zones, loading/unloading zones and parking meters;
 - d. An illustration of the off-street private parking location(s) at which patron vehicles will be parked and the number of parking spaces that will be available to the Sponsor for the Operator's use, the total number of parking spaces available on the lot, the identification of the minimum number of spaces the owner/business is required during the hours of proposed valet operation, under the zoning code, and the days and hours of operation of the parking lot owner/tenant businesses;
 - e. Graphics of the proposed valet attendant uniforms, podium, umbrella, and canopy;
 - f. Additionally all supporting documentation as required by the City Engineer
16. "Valet parking service" shall mean a business establishment engaged in and

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conducting the parking of other persons' motor vehicles.

17. "Valet parking sign" shall mean a sign, temporary or permanent, -designating the location and hours of an authorized valet parking operation, as well as wayfinding signage.

~~17.18.~~ Small Business Participant is a business that is 1,500 square feet or less and that applied to Sponsor a valet operation.

PROGRAM ROLES

The Business Association requesting to establish a valet parking operation shall assign a Business Representative who becomes a responsible contact during the application process. After the application is approved the ~~Sponsor becomes~~ Sponsor becomes responsible to the City for obtaining permits, payment of fees, and compliance with all Program and permit regulations. The Sponsor enters into a contract with the Operator of the valet parking station(s). The Sponsor is responsible for securing parking lot(s) for use by the Operator. The Sponsor manages the Operator. The City Engineer is responsible for enforcing compliance with the program and the permit issued to the Sponsor.

APPLICATION REQUIREMENTS

1. A letter identifying the Business Association and the Business Representative, address, phone number, and contact information.
2. The letter shall state how the Business Association perceives the absence of valet parking is affecting the success of their businesses and shall identify the benefits to be gained from approval of their Application. Additionally, the letter shall indicate the proposed days and hours of operation.
3. A petition signed by property owners and business owners, as defined in section **PETITION FROM PROPERTY AND BUSINESS OWNERS** in this document;
4. Proposed Valet Parking Plan;
5. Copy of proposed agreements with private property owners for use of private parking lots. The agreement should include the number of spaces to be reserved for the valet parking service and the total number of spaces in such parking

facility. In cases where the parking facility is part of a building or premises containing uses which require off-street parking, the statement shall also include information as to the number of parking spaces that were required by the City to be provided in the parking facility to serve such other uses when said uses were established, and the hours and days of operation of such uses.

6. A copy of application for a Conditional Use Permit to the Culver City Planning Division permitting the use of the private parking lot for valet operations if it is in Culver City, or from the relevant Agency if the parking lot is not in Culver City;
7. Name, address, and contact information of the valet parking service company.
8. The minimum number of employees of the valet parking service in each classification, (valet parking attendants, cashiers, managers), by days of the week, to be assigned at each valet parking station and parking lot;
9. The proposed routes to be used between the valet parking station(s) and the parking lot(s) location(s), and the proposed routes to be used to return the patrons' vehicles back to any station within the District, even those that are under a different Sponsor/Operator as part of the Universal Parking plan.
10. Completed applications must be submitted at least 90 working days prior to the proposed commencement of valet parking operation

PETITION FROM PROPERTY AND BUSINESS OWNERS

The application shall include a petition signed by 1) the business owners and 2) property owners of the block. For purposes of the petition, the block would be considered to have two distinct segments. The first is that segment in which the valet parking station is proposed to be situated. 100 percent of the business owners and property owners in this segment would need to support the petition. The second segment is the rest of the block where the valet parking station is not proposed--a minimum of 75% of the business owners and a minimum of 75% of the property owners would need to support the petition.

A block may be considered from business-use intersection to business-use intersection, or from alley to arterial intersection, if an alley exists dividing residential and business-uses. Where blocks have only "T" intersections on the opposite side of the street, staff may consider the prolongation of the T intersection as the terminus of the block, if it would be an unreasonable burden, in staff's opinion, to require the Sponsor to circulate a petition to locations that are remote from the impact of the potential valet parking operations.

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1. In lieu of a signature on the same petition form, a signed letter on company letterhead from the businesses owners and from the property owners is acceptable, as long as the support for the consideration is clearly stated and the subject location is identified.
2. The petition shall indicate that the business association or businesses on the block desire the consideration of their block for establishment of a valet parking area, and are willing to become a Sponsor, hire an Operator, lease private parking, obtain the proper permits on the necessary frequency, and bear all the related cost. In addition, the petition shall indicate their willingness to work cooperatively with other Sponsors/Operators within the District, and accept any patron's vehicle regardless of patron's destination, and accept to contact via cell phone other Operators to coordinate delivery of vehicles to any patron who desires to pick-up at that station who did not originally drop off their vehicle there.

CRITERIA UTILIZED IN SELECTING THE POTENTIAL LOCATIONS

The City Engineer, in determining to approve or deny an application and whether an area is eligible to be considered for designation as a valet parking station, may weigh factors which include, but are not limited to:

1. **VEHICULAR SAFETY:** A potential valet service area shall have an adequate adjacent traffic environment and space to accommodate patron vehicles to merge out of the travel lane for vehicle drop-off or into the travel lane after pick-up, without causing safety compromises to the patron and his vehicle or others in the vicinity;
2. **SIDEWALK WIDTH:** A potential valet service area shall have a sidewalk of adequate width to accommodate the unimpeded transit of pedestrians on foot and in wheel chairs, in addition to the valet podium, umbrella, valet attendants, and patrons;
3. **MINIMUM VALET SERVICE CURB LENGTH:** A potential valet service area shall have a minimum curbside length of 60 feet for entering and exiting vehicle maneuvers, and to serve a minimum of two valet patrons concurrently;
4. **QUEUING INTO CROSSWALKS PROHIBITED:** A potential valet service area shall have sufficient clearance to the nearest crosswalk(s) to prevent patron vehicles from queuing into a crosswalk at any time during the operation;

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5. **RESIDENTIAL NEIGHBORHOOD ROUTES PROHIBITED:** A potential valet service area shall not use streets lined with residential uses on both sides of the street as valet parking routes.
6. **STREET GEOMETRY.** The network of streets, connectivity of streets, configuration of adjacent intersections, width of streets and width of sidewalks shall be conducive to the safe and efficient valet operations;
7. **PEDESTRIAN ACCESS POINTS AND CROSSWALKS.** The routes, access and crossing patterns of pedestrians in the vicinity of the valet parking station(s) and in the District shall be considered to safeguard the health and welfare of pedestrians;
8. **ADJACENT PUBLIC TRANSIT.** Bus stop access, and public transit operations must not be impeded;
9. **JURISDICTIONAL BOUNDARIES WITH OTHER CITIES.** Valet parking stations may not cross jurisdictional boundaries; however, routes to/from private parking lots are acceptable across jurisdictions.
10. **PROXIMITY TO EXISTING VALET PARKING STATION(S).** The proximity to other existing valet parking stations on the same side of the street, within the District, shall be such that one station's operations do not negatively impact the other, yet, the proximity shall be sufficiently close to be convenient for patron's use in effecting a community/universal valet parking program.
11. **VEHICULAR TRAFFIC VOLUMES AND PEAK PERIOD DEMANDS.** In determining the hours of operation, the City Engineer shall consider the vehicular volume during the days of operation, as well as the volume during the peak periods.
12. **HOURS OF OPERATION.** The hours of operation for each valet parking area shall be reviewed by the City Engineer, balancing the needs of the business community with the need to provide for the safe and efficient movement of vehicular traffic and pedestrians. In determining the hours of operation of a specific valet parking station, the City Engineer shall take into consideration the request of the Business Association, the nature of the businesses on the block and in the District, traffic volumes during the day and during the peak periods.

At the request of the Business Association, valet operations may be allowed during a test period during peak traffic, with data collection, at the cost of the Sponsor, to determine if valet operations negatively impact traffic flow. After the conclusion of the test period, the valet operations shall be returned to the hours determined by the City Engineer, if the hours are not adjusted as a result of the

study.

At the request of the Sponsor, valet operations may be allowed during a test period during peak traffic, with data collection, at the cost of the Sponsor, to determine if valet operations negatively impact traffic flow. After the conclusion of the test period, the valet operations shall be returned to the hours determined by the City Engineer, if the hours are not adjusted as a result of the study.

PUBLIC STREET-SIDE PARKING PROHIBITED

Street parking shall not be used by the Sponsor/Operator for parking of vehicles. Violation of this constitutes grounds for Suspension or Revocation of permit. The City Engineer may allow the parking of vehicles in the late hours of operation, in the valet parking station, when such would not cause an obstruction to arriving patrons, or cause traffic problems.

VALET PARKING DISTRICT EXPANSION

The City Engineer will determine whether the boundaries of the proposed valet parking area should be expanded to include not only the area that is being proposed for consideration in the Application, but also those areas that would likely benefit presently or in the future by the availability of other valet parking areas in the vicinity of the proposed location. All Downtown Culver City may be considered, for purposes of District boundaries, as one District. All other geographic locations within Culver City will be considered on a case-by-case basis and may be determined to be operational Districts, based on the discretion and engineering judgment of the City Engineer.

UNIVERSAL VALET PARKING OPERATIONS

If the City Engineer determines that an immediate or future benefit is to be gained by the creation of expanded boundaries, then the City Engineer will establish an administrative "District" for the purposes of a universal valet parking operation. The Sponsor and his Operator, existing as well as subsequent Sponsors who are approved for valet parking areas within this District shall operate as a (universal) valet parking. This newly approved valet parking area shall accept any vehicle from any patrons, regardless of intended destination within the District. Upon the patron's retrieval of the vehicle, it shall be delivered to any station in that District, regardless if such valet

parking station has a different Sponsor/Operator. In this case, the Sponsor/Operator shall make a cellular phone call to the pertinent Operator indicated on the parking ticket, for delivery of the vehicle. The Operator shall then deliver the vehicle to the patron at the valet parking station where the patron elected to pick-up the vehicle and payment shall be made by patron to the delivering valet attendant.

In the case that the City Engineer creates an administrative "District," the City Engineer shall be responsible for communicating contact cellular phone numbers to all Sponsors/Operators in the District.

PUBLIC NOTICE AND MEETING

The City Engineer shall hold a noticed community –meeting for –applications for the purposes of allowing the public the opportunity to review a proposed valet plan and provide comments. Within 15 working days after acceptance of a completed application, the City Engineer shall set a time and place for the community meeting to be held within 30 calendar days of the date of acceptance, unless a venue cannot be secured, in which case, the meeting will be held as soon as possible after 30 calendar days.

The public notification area shall be both sides of the block where valet parking operations are being proposed, and one block perimeter around the site. Applicant shall reimburse the City for the expense of the public notification. However, if the City Engineer determines to broaden the boundaries and create a Valet Parking District, then all business owners and property owners within the proposed boundaries shall be notified. The City Engineer may also elect to give notice to other property and business owners which he determines might be affected by the granting of any permit.

MANNER OF GIVING PUBLIC NOTICE.

Posted Notice. Within 5 working days after meeting date is set, but no sooner than 12 calendar days before the date of the public meeting, Applicant shall, with City's written permission and approval of the content of the notice, produce and conspicuously place such notice of the application on both sides of a type II barricade placed adjacent to the proposed valet parking station. The sign shall measure 24" x 30" with the largest bold font size that will fit in the sign, according to the content, and shall contain the information indicated in the section below.

Mailed or Delivered Notice. Within 5 working days after hearing date is set but no sooner than 12 calendar days before the date of the public meeting, the City shall give

notice of the application, as stipulated in the previous section.

CONTENTS OF PUBLIC NOTICE.

1. A reference to application materials on file for detailed information.
2. The name and contact of the Applicant and of the City representative, the date, time, and place of the meeting, and an invitation for the public to come to the meeting to give their input.
3. A statement that any person may, in person, by phone, letter, or e-mail, register a concern in the office of the Traffic Engineering Manager.
4. A statement that, if no concern is registered in the office of the Traffic Engineering Manager prior to 5:30 p.m. of the last operating business day before the meeting date, the City Engineer will make a decision on the requested Sponsor's permit based upon the information submitted by the Applicant.

CITY ENGINEER DECISION

Decision and Notice. The City Engineer, within 21 working days of the conclusion of a community meeting shall:

- a. Make findings of fact as required by these regulations;
- b. Based on the findings, approve, partially approve or disapprove the application, or approve the application subject to conditions, including without limitation, conditions restricting the hours of valet operation;
- c. Mail notice of the decision to the Business Representative and business and property owners within the block or in the case of a District, within the District boundaries.

REQUIREMENTS BEFORE PERMIT ISSUANCE:

1. A current ACCORD-compliant Workers' Compensation Certificate indicating the address of the valet parking area and the parking lot, and naming the City of Culver City as additional insured;-
2. A current ACCORD-compliant Automobile Liability Insurance Certificate with \$1,000,000 coverage per occurrence and \$2,000,000 aggregate;
3. Garage liability coverage of one hundred thousand dollars (\$100,000.00);
4. Signed statements by the Sponsor and the Operator, approved as to form by the City Attorney, indemnifying the City of Culver City for any incidents leading to death, loss, damages, claims, and/or litigation in the roadways and in the public right-of-way while the Sponsor and the Operator are engaged in activities related to the operation of valet parking.
5. A statement indicating the number of valet attendants at the valet parking station(s) and at the parking lot(s);
6. A statement listing the names, California Driver's License number(s), and cellular phone number(s) of the employees, of the Operator at each valet parking station and parking lots that may be contacted during the hours of operation, in case of urgency/emergency;
7. A statement listing the name, and cellular phone number of the of the Sponsor that may be contacted during the hours of operation,

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8. A statement indicating that adequate valet staffing levels shall be maintained at the valet parking station(s) and the parking lot(s). Acknowledging that adequate staffing levels shall be the number of attendants necessary to immediately drive patrons' vehicles to a parking location and avoid patrons' vehicles waiting for service from queuing at the curb, from queuing- into the adjacent travel lane(s), from forming two queues, and/or from queuing across pedestrian crossing access points and crosswalks.
9. Independent of the previous requirement, a statement shall be provided agreeing that Sponsor shall provide additional valet attendants upon notification by the City Engineer , to improve operational management, for the period of time identified by the City Engineer
10. A statement attesting that all valet attendant employees who will drive patrons' vehicles have a valid California Driver's License;
11. A statement indicating that Sponsor/Operator's staff will maintain a monthly digital log, in Excel or similar program, of the number of vehicles serviced at each valet parking station and parking lot, in 15-minute increments, served during the hours of operation, on each day the valet parking area(s) operates, as well as indicating the days of the month in which the valet parking area was not operational. This log is to be submitted to City staff no later than seven days after the end of each calendar month. Failure to submit may be cause for Suspension;
12. Valet parking attendants shall be required to wear easily identifiable uniforms, and shall submit photos and/or illustrations
13. The valet operation signage shall be incorporated as part of the permit

PERMIT REQUIRED FOR OPERATION

It is unlawful for any person to operate, engage in, conduct, manage, or cause to be operated, any valet parking operation or any related activity upon any portion of a public street or right-of-way without a ~~Downtown~~-Valet Parking Program permit authorizing the specific Sponsor and Operator at the specific location. A fine in the form of higher fees may be imposed on the Sponsor/Operator for such violation.

The City Engineer may, in his or her sole discretion, place additional conditions upon the issuance of the permit in order to insure the protection of the public rights-of-way and the rights of all adjoining property owners and the health, safety and welfare of the public.

Permits for the use of the public right-of-way shall be considered temporary and nonpermanent in nature, and Sponsor/Operator shall have neither property interest in nor any entitlement to the granting or continuation of any such permit.

Permits for the use of the public right-of-way may be terminated by the City, with or without cause, regardless of the nature and scope of financial or other interest in, or on account of, the permit or the permitted use. Temporary suspension of valet operations may be effected by the City Engineer in case of necessary work in the maintenance of the public right-of-way or in deference of public permitted events with which valet operations may conflict. Prior notice shall be given to Sponsor/Operator of as much time as the situation permits, but under normal circumstances, no less than 14 business days. In case of urgency or emergency, less notice time or no notice time may be given.

A valet parking operation may be conducted only at a valet parking area and during hours approved by the City Engineer and designated by official valet parking signs designating the authorized location and hours of operation. Permits shall designate the specific location for which a valet parking operation is approved.

A Permit shall not be required when all valet parking activity occurs completely on private property.

At each closing time, the Operator shall lock or cause to be locked each vehicle, and shall deposit or cause to be deposited, the key with a responsible representative at a convenient place. The key shall be delivered to the valet patron upon surrender of the parking ticket or otherwise upon proof that such person has the right to possess the vehicle;

VALIDITY PERIOD AND EXPIRATION OF PERMITS

Sponsor permits shall have a validity period of six calendar months but shall automatically expire on June 30th and on December 30th, without notice, unless renewed as provided in these regulations.

PERMIT RENEWALS

To ensure continuous permit coverage, a permit renewal must be obtained from the City Engineer no later than 20 working days before the expiration date as set forth in the **EXPIRATION OF PERMITS** in this document. Late renewal, after permit expiration, will result in delays in the evaluation of the previous period with the Sponsor/Operator,

processing, and may cause an interruption in the operation.

MID-TERM EVALUATION

The City Engineer may require a mid-term evaluation meeting with the Sponsor and Operator near March-April or September-October.

ADDITIONAL EVALUATIONS/MEETINGS

The above does not preclude the City Engineer from requiring the Sponsor/Operator to attend meetings at other times during the life of the permit, to address specific concerns. In this case, such meetings shall be scheduled with reasonable consideration of the Sponsor/Operator schedule, except in the case of public health and welfare when the City Engineer may require immediate meetings, at the risk of Suspension of the permit for non-compliance to attend.

SIGNAGE

The Operator shall install and maintain, during hours of operation, at each valet parking area at which a patron surrenders his or her vehicle for parking, a sign plainly visible from the street with letters and numerals in contrasting colors, showing the Operator's name, the address and telephone number of the business, the time when the Operator is no longer on duty at that valet parking area, and the parking fee.

No signs shall be posted outside of the Valet Parking Plan. Any signage duly approved shall be made a part of the permit. Any wayfinding signs that are part of the permit shall be purchased at the sole cost of the Sponsor. The Sponsor shall pay for the signs and their installation to the City and the City shall cause their manufacture and installation.

OFF-SITE STORAGE OF STREET FURNITURE

The podium, portable signage, umbrella, 10' x 10' canopy, traffic cones, delineators, or any other device permitted for the use of the Operator, shall be removed and stored off-site at the conclusion of the hours of operation. Any device not in compliance may be confiscated.

VALET OPERATION STANDARDS

The Permit shall obligate the Sponsor and the Operator to conform to the content of this document and such regulations as may from time to time be issued by the City Engineer including the following:

1. The Operator shall, upon the receipt of each motor vehicle accepted for valet parking, give a claim check to the owner that identifies the Operator's name. The claim check shall explicitly state the terms and conditions under which the vehicle is being accepted.
2. A copy of the Sponsor's permits, Culver City business license and approved route map must be maintained at every valet parking area to be produced upon demand.
3. A Sponsor's permit continues to be valid at the approved valet parking area, even if the Sponsor changes Operators. The Sponsor shall submit the new Operator's information required in this document in case of such change.

PROGRAM PERMIT TYPES BASED ON DURATION OF OPERATIONS

SHORT-TERM SPECIAL EVENTS

1. **Short-Term Special Event Permit.** In a circumstance involving a special event or a special need of a single-entity Sponsor, a short-term permit for a period of operation not exceeding seven contiguous calendar days may be issued by the City Engineer, upon the submittal of a Short-Term Special Event Application, accompanied by the applicable documentation, proof of insurance, and fees. The Short-Term Special Event Permit Application shall be exempt from the Long-Term Operation process and may be processed over-the-counter by the City Engineer.
2. **Recurring Short-Term Special Event Permit.** In a circumstance involving a special event or a special need of a single-entity Sponsor, that has a recurrence on a monthly basis, but not exceeding one day each month, a short-term recurring special event permit may be issued by the City Engineer, upon the submittal of a Short-Term Recurring Special Event Application, accompanied by the applicable documentation, proof of insurance, and fees. The appropriate fee shall be charged for each event within the period permitted. The permit shall be for a period of operation not to exceed six months and operation of only one day per month. The Recurring Short-Term Special Event Permit Application shall be exempt from the Long-Term Operation process and may be processed over-the-counter by the City Engineer

UNCLAIMED VEHICLES

The Operator shall notify the Culver City Police Department whenever a vehicle has been left unclaimed for a period of forty-eight hours for towing purposes.

INDEMNIFICATION

The Sponsor, Operator, and any person acting under or pursuant to an Operator's permit, agrees to indemnify, hold harmless, release and defend (even if the allegations are false, fraudulent or groundless), to the maximum extent permitted by law, and covenants not to sue, the City, its City Council and each member thereof, and its officers, employees, commission members and representatives, from any and all liability, loss, suits, claims, damages, costs, judgments, and expenses (including attorney's fees and costs of litigation) which in whole or in part result from, or arise out of, directly or indirectly, wholly or in part, or are claimed to result from, or arise out of: (1) any use or performance under the permit; (2) the activities and operations of the Operator or Sponsor and their employees, subcontractors or agents; (3) any condition of property used in the operation; or (4) any acts, errors or omissions (including, without limitation, professional negligence) of the Operator or Sponsor and their employees, subcontractors or agents in connection with the valet parking operation.

This indemnity includes, but is not limited to, personal injury (including death at any time) and property or other damage sustained by any person or persons (including, but not limited to, companies, or corporations, Sponsor/Operator and its employees, valet parking customers and members of the general public).

ANNUAL SUMMARY REPORT

In addition to the **APPLICATION REQUIREMENTS** contained in this document, an annual summary report of vehicles serviced by valet parking area must be filed by the Sponsor with the City Engineer or his designee by February 1st or the next business day if the first is not a regular business day.

TRANSFERENCE OF SPONSORSHIP

Transference of Sponsorship is not permitted within the program. Each new Sponsor shall submit a completed application. However, public notification and public meeting requirements are not necessary for valet parking operations that are in existence and functioning to the satisfaction of the City Engineer when the change of Sponsor occurs.

Nevertheless, if there is a lapse of time between the previous Sponsor and the new Sponsor, the valet operation shall be suspended during such time. For this reason, Sponsors are encouraged to work with staff to accomplish a gapless transition.

Notwithstanding the above, if there is a change in valet operations, such as new or different valet parking stations, then the application shall be considered new and all conditions and regulations contained in this document shall apply.

MODIFICATION OF A VALET PARKING AREA/DISTRICT

The City Engineer may periodically review valet parking zone(s) and/or districts and give notice to the business owners and property owners of the expansion of and/or consolidation of adjacent valet parking zones and/or districts into a larger zone/district where such expansion/consolidation will benefit the business community, the patrons to the area, and aid in the administration of the program.

The Sponsor may also request modification of an approved valet parking zone/district and the City Engineer shall consider the request. Any costs related to public notification and public meetings shall be the responsibility of the business association in this case.

PROHIBITIONS

The Operator shall at no time, commit or do any of the following acts:

1. Receive, take possession of a patron's vehicle, for the purpose of parking or temporary storage until the return of the vehicle to the patron or guest, or relocate from the private parking lot any patron's vehicle upon any portion of the public right of way or other public property; or
2. Park and leave standing any patron's vehicle upon any portion of a public right-of-way or other public property, including any publicly owned off-street parking space.
3. Park any patron's vehicle upon private property without the express written authorization by the owner or other person in charge of such private property.
4. Permit vehicular traffic on adjacent roadway or pedestrian traffic sidewalks or crosswalks to be impeded by the activities of the valet parking operation.
5. Charge any higher rates for parking than those rates posted.

6. Leave a patron's vehicle unlocked or place the key in or upon the parked vehicle.

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FEES

Application Fee For the initial Sponsor application	\$165.00 per hour, minimum of 3 hours
Weekly fee Payable in advance on a monthly basis, for each valet station of up to 100' long	\$100.00
Weekly fee for an additional 20', beyond 100'	\$25.00
Weekly fee for an additional 40', beyond 100'	\$60.00
Biannual Permit Fee	\$299.52 ($\$120 \times 2 = \240) + (\$48 issuance) + (4% = \$11.52)
Modification Fee To study any requested modification and its cost/benefit	\$165.00 per hour, minimum of 3 hours
Late fee For failing to pay the Weekly fee, which is charged on a monthly basis, by or before the 5 th of the month.	10% of monthly fee, per day late after the 5 th of the month, but not more than 50% of monthly fee.
Wayfinding Sign fee	\$55 per sign (or then current cost)
Operating without a permit	Double the Application Fee ($\$495 \times 2 = \980) and the first Biannual Permit Fee ($\$299.52 \times 2 =$ \$599.04)

The Weekly fee is payable on a monthly basis, in anticipation of the upcoming month, using a factor of 4.3 weeks in each month, at the current rate determined by the City Council. Payment is due on the first day of each month during the life of the permit and

shall be considered late if not received by the Engineering Division by the end of the business day on the 5th day of the month. In the absence of payment by the day indicated above, the Sponsor shall be in violation and the Operator shall be suspended from the public right-of-way until this condition has been corrected; the Sponsor's permit shall be susceptible to Suspension and Revocation as specified in this document.

Should the Sponsor/Operator continue to operate after the permit has been terminated and should the City be forced to file suit to restrain Sponsor/Operator, the Sponsor shall, in addition to penalties herein, reimburse the City for its reasonable costs and expenses in connection therewith, including attorney's fees.

DAY SUSPENSION

Use of the public right-of-way which is permitted under the program, may be temporarily suspended, without prior notice, when, in the discretion of the Public Works Director and City Engineer, or the Chief of Police, or the Fire Chief, any such use, interfere with public safety, street improvement activities, special events, construction activities, or other activities, or for the health, welfare or safety of the public.

A Public Works Inspector, a Traffic Engineering Technician, or a Police Officer, at the direction of the City Engineer, may give notice to Sponsor/Operator and suspend all operations of a valet parking Operator in any location, except for retrieval of vehicles already subject to valet parking, for the remainder of the day's hours of operation (which suspension may extend to 9:00 a.m. of the following day).

Upon the issuance, to the Operator or its employees, of two or more notices of violation at any valet parking station or parking lot, of the California Vehicle Code, the Culver City Municipal Code, or the contents of this document, in any 5-hour period in said location, a suspension notice shall be issued to Sponsor/Operator. Such suspension may be effected any of the three subsequent days, after-the-fact, at the discretion of the City Engineer or his designee.

Upon the occurrence of any two traffic accident in any valet parking station or parking lot, during any 5-hour period, arising out of friction conditions with traffic flow, improper judgment by the Operator or his agents, a suspension notice shall be issued to Sponsor/Operator. Such suspension may be effected any of the three subsequent days, after-the-fact, at the discretion of the City Engineer

SUSPENSION AND/OR REVOCATION

**DOWNTOWN CITYWIDE VALET PARKING PROGRAM
PROCEDURES AND REGULATIONS**

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In case of suspension of the Operator's permit for a period longer than one operational day, written notice of temporary suspension may be personally delivered to the Sponsor and to the Operator's representatives as listed in the Application, or mailed to the address given on the Application pursuant to which such permit was issued. The temporary suspension is effective upon the earlier of either personal receipt by Sponsor and Operator's representatives or the expiration of 5 calendar days from the date of mailing. The notice of temporary suspension shall include a notice of informal hearing with the City Engineer, date, and time. The temporary suspension shall remain effective until the decision on revocation of the permit or continued suspension is determined by the City Engineer. The City Engineer may, from time to time, with or without temporary suspension, suspend or revoke any Sponsor's permit whenever the City Engineer determines, after notice and informal hearing and based upon substantial evidence, that the permit holder, or any of its drivers, employees, agents, or subcontractors:

1. Have operated or parked vehicles, or operated the valet parking operations, contrary to law, including the use of unlicensed drivers or the failure to comply with the Culver City Municipal Code, the California Vehicle Code, the regulations of this Program, or violation of any other law;
2. Have failed to comply with or violated any permit condition, including failure to maintain the minimum levels and standards of liability insurance for any period of time;
3. False or incomplete Application information was provided;
4. Any reason exists for which the permit might have been denied in the first instance;
5. The operations constitute a danger to public health, safety, welfare or public morals, including without limitation, interference with the public use of the streets, the normal flow of vehicle or pedestrian traffic on any public right-of-way; or
6. The operations constitute a public nuisance, including, but not limited to, a visual blight.
7. The Operator or his agents or employees, through carelessness, negligence or failure to make proper provision for the safeguarding of vehicles left in their custody, have facilitated or contributed toward the theft or vandalism of any such vehicle; or
8. The Operator or his agents or employees, have failed to cooperate with Culver City Police Department to aid in the detection of any theft or other crime committed on a parking lot used or which arose out of the conduct of the business for which the permit was issued; or

9. The Operator knowingly delivered a vehicle in their custody to a person who is neither the registered owner thereof nor entitled to the custody of such vehicle.
10. Upon delivery of a notice of decision to revoke or suspend a Sponsor's permit, the City shall have the right to require the immediate removal of all Sponsor's/Operator's obstructions in the public right-of-way, and may perform such removal if the Sponsor/Operator fails to do so. The Sponsor shall reimburse the City for any expense incurred by the City in removing any obstruction. Should the Sponsor/Operator continue to use the public right-of-way after the permit has been revoked or suspended, the City may, in addition to other remedies and actions, take appropriate action to restrain the use of the public right-of-way by Sponsor/Operator and, in such event, the Sponsor shall reimburse the City for its reasonable costs and expenses in connection therewith, including reasonable attorney's fees and court costs.
11. If a permit is revoked by the City, Sponsor is entitled to a pro rata refund of the monthly permit fee, unless the City resources were used to remove obstruction as indicated above, in which case the costs will be charged against the refund due and the balance shall be reimbursed. If costs were beyond the pro rata refund, Sponsor may be billed for balance.

CONFORMANCE WITH APPLICABLE LAWS

The Sponsor is responsible for seeing that the Operator is in full compliance with the law, including these regulations. Violations by the Operator will subject the Sponsor, as well as the Operator, to fine, loss or suspension or revocation of permit and all other sanctions described herein.

Nothing in this document is intended to authorize or authorizes the parking of motor vehicles by valet parking Operators and Sponsors in a manner contrary to, and all Operators shall comply with, applicable state laws and local parking and traffic regulations, including the Culver City Municipal Code.

If a parking meter is present at the location reserved for valet parking, the Operator shall not "feed" the parking meter but may, during the hours of authorized valet parking operations that overlap the hours of meter operation, cover the parking meter in a manner approved by the City Engineer. Parking meter covers will be issued by the City Engineer at the cost of Sponsor/Operator.

SMALL BUSINESS PARTICIPANTS

- A. Notwithstanding the above, the Program shall allow Small Business Participants (SBP), conditioned upon full compliance with the Program, except as explicitly indicated in this Section.
- B. SBP's shall meet all application requirements, as set forth in the "Application Requirements" section, except as follows:
1. Affiliation with a Business Association shall not be required. Applications shall be accepted from stand-alone small businesses;
 2. A petition shall not be required;
- C. SBP's shall not be required to operate as universal valet parking station, except as set forth in this Section. Upon not meeting such criteria, SBP's shall function as universal valet parking operations. Additionally, notwithstanding this paragraph, SBP's shall function as universal valet parking operations upon the expiration of a 30-days written notification by the City Engineer, at his discretion.
- D. SBP Qualifications Criteria
1. The business shall occupy 1,500 square feet or less;
 2. If the business is a restaurant, it shall have 49 seats or less;
 3. The business is conditioned by the City to operate a valet parking station due to lack of adequate on-site parking;
 4. Adequate shared-use off-site private parking shall be secured to meet the parking demand generated by the business;
 5. SBP applicant requests up to 2 on-street parking spaces for is proposed valet parking station. At any time, at the discretion and initiative of the City Engineer, additional parking spaces may be assigned to the SBP to augment its operational space and thereby prevent valet parking patron vehicles from queuing into the adjacent travel lane, at the cost established for such additional parking spaces by the City Council;
 6. The SBP shall submit an initial letter with its application, and thereafter, an annual letter, shall be submitted to the City Engineer, by the SBP to attest that each of the SBP Qualifications Criteria will still met during the upcoming calendar year. Such letter shall be submitted no later than 20 days prior to the end of the calendar year, as long as the SBP is operating a valet parking station.

E. SBP Criteria to Operate as a Stand-Alone Valet Parking Station

- 1. The SBP applicant would have the only valet parking station in the operational area;**

F. SBP Criteria to Operate as a Universal Valet Parking Station

- 1. Upon the approval of a second valet station in the operational area, for an SBP or otherwise, the valet operations shall be converted from stand-alone to universal;**
- 2. At the discretion of the City Engineer, after 30-days written notice.**

G. Fees charged to SBP's shall be as established by the City Council.

REGULATIONS

- 1. The City Engineer may, from time to time, issue written regulations for distribution to Applicants and Permittees regarding the implementation of the provisions of this program, including, but not limited to, the safe and lawful conduct of all valet operations, permit application procedures and permit standards.**
- 2. Such regulations shall be binding upon Applicants and Permittees, who shall comply with such written regulations as a term and condition of the permit.**

For further information please contact the Traffic Engineer Section of the Engineering Division, Department of Public Works, at (310) 253-5600.

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1 Regulations, and related Program fees; and

2 WHEREAS, after giving the public an opportunity to be heard and considering
3 all information before it, the City Council approved the establishment of the Program
4 procedures and regulations, and related Program fees, attached hereto as Exhibits "A" and
5 "B," respectively; and
6

7 WHEREAS, the fees established herein are based upon the reasonable cost
8 of providing the services and regulatory activity for administering the Program;
9

10 NOW, THEREFORE, the City Council of the City of Culver City, California
11 DOES HEREBY RESOLVE as follows:

12 1. The Citywide Valet Parking Program Procedures and Regulations,
13 attached hereto as Exhibit "A" and incorporated herein by reference, are hereby approved
14 and shall be effective on the date of the adoption of this Resolution.
15

16 2. The Citywide Valet Parking Program Fees attached hereto as Exhibit
17 "B," attached hereto and incorporated herein by reference, are hereby adopted.

18 3. Resolution No. 2009-R052 is hereby rescinded.

19 4. This Resolution shall become effective immediately upon its adoption.
20

21 APPROVED and ADOPTED this ____ day of _____ 2012.
22

23 MICHEÁL O'LEARY, Mayor
24 City of Culver City, California

25 ATTEST:

APPROVED AS TO FORM:

26
27 MARTIN R. COLE, City Clerk
28 A12-00035


CAROL A. SCHWAB, City Attorney

CULVER CITY

CITYWIDE VALET PARKING PROGRAM

PROCEDURES AND REGULATIONS

INTRODUCTION

The primary purpose of public streets and rights-of-way is for the safe and efficient movement of people and goods in a variety of modalities, including passenger vehicles, public transit, bicycle, and pedestrian traffic, among others. The City recognizes that the use of public streets and rights-of-way for valet parking operations, while providing a public benefit, may also cause friction or impede travel, and in the absence of supervision and punitive consequences, may affect the public safety and create a public nuisance. The City, therefore may issue permits and restrict valet parking operations as a special privilege, not as a matter of right. The approval of any permit for the use of the public right-of-way is on a temporary and nonpermanent basis and is for a nonexclusive use of that public right-of-way. Permittees shall have neither property interest in nor any entitlement to the granting or continuation of any permit for the use of any public right-of-way.

PURPOSE

The parking supply is a scarce resource and would be insufficient to provide adequate curb-space for each individual business that desires valet parking and still leave adequate street parking for short-term turn-over parking for other businesses' patrons. Because of this, the concept of universal valet parking serving a business community is the most favorable scenario for all, where all businesses in a given area share in the benefits. Additionally, the program creates the potential for valet operations to use off-street private parking spaces during evenings, nights, and weekends, when parking demand at such private parking spaces might be low or non-existent. This, in turn, prevents the parking demand in an active business district from creating a parking intrusion problem on adjacent residential neighborhoods or a burden on street-side public parking spaces, making such parking spaces more readily available for short-term self-parking turn-over.

DEFINITIONS

For the purpose of this program, unless it is evident from the context that a different meaning is intended, certain terms used herein are defined as follows:

1. "Application" shall mean all the filled out forms, maps, statements, submittals, and payment of fees.
2. "Business Association" shall mean an organization, association or group selected or formed by the businesses of a block or area.
3. "Business Representative" shall mean the individual selected by the Business Association to act on their behalf for the purposes of coordinating the Valet Parking Program participation request and process.
4. "City Engineer" shall mean the City Engineer of the City of Culver City or designee
5. "Engineering Division" shall mean the Engineering Division of the Public Works Department
6. "Motor Vehicle" shall mean a vehicle that is self-propelled and meets the definition of a "Motor Vehicle" in the California Vehicle Code Division 1. 415.
7. "Operator" shall mean the valet parking service hired by the Sponsor to operate the valet parking area(s)
8. "Permit" shall mean the biannual permit issued to the Sponsor by the City Engineer for the operation of valet parking area(s).
9. "Petition" shall mean the document narrative with signature lines executed by 100% of the business owners and 100% of the property owners immediately adjacent to an area proposed by the Applicant to be considered by the City for valet parking area(s), and a minimum of 75% the other businesses owners and 75% of the other property owners on the block, that are not immediately adjacent to the proposed valet parking area(s).
10. "Program" shall mean the Culver City Valet Parking Program
11. "Public right-of-way" shall mean the area dedicated for public use as a public street, pedestrian way, or other thoroughfare, including but not limited to, roadways, parkways, alleys, and sidewalks.
12. "Sponsor" shall mean the permit holder (a member of the Business Association) who operates, or causes to be operated, valet parking station(s) at

CITYWIDE VALET PARKING PROGRAM
PROCEDURES AND REGULATIONS

Page 3

the business location(s)

13. "Street" shall mean open to the public use for vehicular traffic.
14. "Valet parking operation" shall mean the receiving, taking possession of, driving, moving, parking or leaving standing, any vehicle that is left at one location (valet parking station) to be driven to another location for parking, whether or not a charge is levied, and whether or not done under contract to the business or organization for which the vehicles are being parked, or done independently. It does not include operators of public or private off-street parking operations or facilities where customers park their own vehicles and remove the keys themselves.
15. "Valet Parking Plan" shall mean:
 - a. Written plan and map to scale, illustrating the proposed valet parking station, sidewalk width, parkway, landscaping, trees, meter, posts, pull boxes, and all other street furniture at the site, as well as the proposed routes to/from the valet parking stations and parking lot(s);
 - b. The illustration of the podium and signage placement during the hours of operation, wayfinding signage being proposed, as well as the placement of occasional use umbrella and 10-feet by 10-feet collapsible canopy with non-surface-mounted anchor weights, as well as dimensioned graphics and colors of all proposed signage;
 - c. The width and configuration of the adjacent traffic lanes to the middle of the roadway, minimum, and the identification of all existing signage, bus stops/zones, loading/unloading zones and parking meters;
 - d. An illustration of the off-street private parking location(s) at which patron vehicles will be parked and the number of parking spaces that will be available to the Sponsor for the Operator's use, the total number of parking spaces available on the lot, the identification of the minimum number of spaces the owner/business is required during the hours of proposed valet operation, under the zoning code, and the days and hours of operation of the parking lot owner/tenant businesses;
 - e. Graphics of the proposed valet attendant uniforms, podium, umbrella, and canopy;
 - f. Additionally all supporting documentation as required by the City Engineer
16. "Valet parking service" shall mean a business establishment engaged in and

conducting the parking of other persons' motor vehicles.

17. "Valet parking sign" shall mean a sign, temporary or permanent, designating the location and hours of an authorized valet parking operation, as well as wayfinding signage.
18. Small Business Participant is a business that is 1,500 square feet or less and that applied to Sponsor a valet operation.

PROGRAM ROLES

The Business Association requesting to establish a valet parking operation shall assign a Business Representative who becomes a responsible contact during the application process. After the application is approved the Sponsor becomes responsible to the City for obtaining permits, payment of fees, and compliance with all Program and permit regulations. The Sponsor enters into a contract with the Operator of the valet parking station(s). The Sponsor is responsible for securing parking lot(s) for use by the Operator. The Sponsor manages the Operator. The City Engineer is responsible for enforcing compliance with the program and the permit issued to the Sponsor.

APPLICATION REQUIREMENTS

1. A letter identifying the Business Association and the Business Representative, address, phone number, and contact information;
2. The letter shall state how the Business Association perceives the absence of valet parking is affecting the success of their businesses and shall identify the benefits to be gained from approval of their Application. Additionally, the letter shall indicate the proposed days and hours of operation;
3. A petition signed by property owners and business owners, as defined in section **PETITION FROM PROPERTY AND BUSINESS OWNERS** in this document;
4. Proposed Valet Parking Plan;
5. Copy of proposed agreements with private property owners for use of private parking lots. The agreement should include the number of spaces to be reserved for the valet parking service and the total number of spaces in such parking facility. In cases where the parking facility is part of a building or premises containing uses which require off-street parking, the statement shall also include information as to the number of parking spaces that were required by the City to

CITYWIDE VALET PARKING PROGRAM
PROCEDURES AND REGULATIONS

Page 5

- be provided in the parking facility to serve such other uses when said uses were established, and the hours and days of operation of such uses;
6. A copy of application for a Conditional Use Permit to the Culver City Planning Division permitting the use of the private parking lot for valet operations if it is in Culver City, or from the relevant Agency if the parking lot is not in Culver City;
 7. Name, address, and contact information of the valet parking service company;
 8. The minimum number of employees of the valet parking service in each classification, (valet parking attendants, cashiers, managers), by days of the week, to be assigned at each valet parking station and parking lot;
 9. The proposed routes to be used between the valet parking station(s) and the parking lot(s) location(s), and the proposed routes to be used to return the patrons' vehicles back to any station within the District, even those that are under a different Sponsor/Operator as part of the Universal Parking plan;
 10. Completed applications must be submitted at least 90 working days prior to the proposed commencement of valet parking operation.

PETITION FROM PROPERTY AND BUSINESS OWNERS

The application shall include a petition signed by 1) the business owners and 2) property owners of the block. For purposes of the petition, the block would be considered to have two distinct segments. The first is that segment in which the valet parking station is proposed to be situated. 100 percent of the business owners and property owners in this segment would need to support the petition. The second segment is the rest of the block where the valet parking station is not proposed—a minimum of 75% of the business owners and a minimum of 75% of the property owners would need to support the petition.

A block may be considered from business-use intersection to business-use intersection, or from alley to arterial intersection, if an alley exists dividing residential and business-uses. Where blocks have only "T" intersections on the opposite side of the street, staff may consider the prolongation of the T intersection as the terminus of the block, if it would be an unreasonable burden, in staff's opinion, to require the Sponsor to circulate a petition to locations that are remote from the impact of the potential valet parking operations.

1. In lieu of a signature on the same petition form, a signed letter on company letterhead from the businesses owners and from the property owners is

acceptable, as long as the support for the consideration is clearly stated and the subject location is identified.

2. The petition shall indicate that the business association or businesses on the block desire the consideration of their block for establishment of a valet parking area, and are willing to become a Sponsor, hire an Operator, lease private parking, obtain the proper permits on the necessary frequency, and bear all the related cost. In addition, the petition shall indicate their willingness to work cooperatively with other Sponsors/Operators within the District, and accept any patron's vehicle regardless of patron's destination, and accept to contact via cell phone other Operators to coordinate delivery of vehicles to any patron who desires to pick-up at that station who did not originally drop off their vehicle there.

CRITERIA UTILIZED IN SELECTING THE POTENTIAL LOCATIONS

The City Engineer, in determining to approve or deny an application and whether an area is eligible to be considered for designation as a valet parking station, may weigh factors which include, but are not limited to:

1. **VEHICULAR SAFETY:** A potential valet service area shall have an adequate adjacent traffic environment and space to accommodate patron vehicles to merge out of the travel lane for vehicle drop-off or into the travel lane after pick-up, without causing safety compromises to the patron and his vehicle or others in the vicinity;
2. **SIDEWALK WIDTH:** A potential valet service area shall have a sidewalk of adequate width to accommodate the unimpeded transit of pedestrians on foot and in wheel chairs, in addition to the valet podium, umbrella, valet attendants, and patrons;
3. **MINIMUM VALET SERVICE CURB LENGTH:** A potential valet service area shall have a minimum curbside length of 60 feet for entering and exiting vehicle maneuvers, and to serve a minimum of two valet patrons concurrently;
4. **QUEUING INTO CROSSWALKS PROHIBITED:** A potential valet service area shall have sufficient clearance to the nearest crosswalk(s) to prevent patron vehicles from queuing into a crosswalk at any time during the operation;
5. **RESIDENTIAL NEIGHBORHOOD ROUTES PROHIBITED:** A potential valet service area shall not use streets lined with residential uses on both sides of the street as valet parking routes;

6. **STREET GEOMETRY.** The network of streets, connectivity of streets, configuration of adjacent intersections, width of streets and width of sidewalks shall be conducive to the safe and efficient valet operations;
7. **PEDESTRIAN ACCESS POINTS AND CROSSWALKS.** The routes, access and crossing patterns of pedestrians in the vicinity of the valet parking station(s) and in the District shall be considered to safeguard the health and welfare of pedestrians;
8. **ADJACENT PUBLIC TRANSIT.** Bus stop access, and public transit operations must not be impeded;
9. **JURISDICTIONAL BOUNDARIES WITH OTHER CITIES.** Valet parking stations may not cross jurisdictional boundaries; however, routes to/from private parking lots are acceptable across jurisdictions;
10. **PROXIMITY TO EXISTING VALET PARKING STATION(S).** The proximity to other existing valet parking stations on the same side of the street, within the District, shall be such that one station's operations do not negatively impact the other, yet, the proximity shall be sufficiently close to be convenient for patron's use in effecting a community/universal valet parking program;
11. **VEHICULAR TRAFFIC VOLUMES AND PEAK PERIOD DEMANDS.** In determining the hours of operation, the City Engineer shall consider the vehicular volume during the days of operation, as well as the volume during the peak periods;
12. **HOURS OF OPERATION.** The hours of operation for each valet parking area shall be reviewed by the City Engineer, balancing the needs of the business community with the need to provide for the safe and efficient movement of vehicular traffic and pedestrians. In determining the hours of operation of a specific valet parking station, the City Engineer shall take into consideration the request of the Business Association, the nature of the businesses on the block and in the District, traffic volumes during the day and during the peak periods.

At the request of the Business Association, valet operations may be allowed during a test period during peak traffic, with data collection, at the cost of the Sponsor, to determine if valet operations negatively impact traffic flow. After the conclusion of the test period, the valet operations shall be returned to the hours determined by the City Engineer, if the hours are not adjusted as a result of the study.

At the request of the Sponsor, valet operations may be allowed during a test period during peak traffic, with data collection, at the cost of the Sponsor, to determine if valet operations negatively impact traffic flow. After the conclusion of the test period, the valet operations shall be returned to the hours determined by the City Engineer, if the hours are not adjusted as a result of the study.

PUBLIC STREET-SIDE PARKING PROHIBITED

Street parking shall not be used by the Sponsor/Operator for parking of vehicles. Violation of this constitutes grounds for Suspension or Revocation of permit. The City Engineer may allow the parking of vehicles in the late hours of operation, in the valet parking station, when such would not cause an obstruction to arriving patrons, or cause traffic problems.

VALET PARKING DISTRICT EXPANSION

The City Engineer will determine whether the boundaries of the proposed valet parking area should be expanded to include not only the area that is being proposed for consideration in the Application, but also those areas that would likely benefit presently or in the future by the availability of other valet parking areas in the vicinity of the proposed location. All Downtown Culver City may be considered, for purposes of District boundaries, as one District. All other geographic locations within Culver City will be considered on a case-by-case basis and may be determined to be operational Districts, based on the discretion and engineering judgment of the City Engineer.

UNIVERSAL VALET PARKING OPERATIONS

If the City Engineer determines that an immediate or future benefit is to be gained by the creation of expanded boundaries, then the City Engineer will establish an administrative "District" for the purposes of a universal valet parking operation. The Sponsor and his Operator, existing as well as subsequent Sponsors who are approved for valet parking areas within this District shall operate as a (universal) valet parking. This newly approved valet parking area shall accept any vehicle from any patrons, regardless of intended destination within the District. Upon the patron's retrieval of the vehicle, it shall be delivered to any station in that District, regardless if such valet parking station has a different Sponsor/Operator. In this case, the Sponsor/Operator shall make a cellular phone call to the pertinent Operator indicated on the parking ticket, for delivery of the vehicle. The Operator shall then deliver the vehicle to the patron at

the valet parking station where the patron elected to pick-up the vehicle and payment shall be made by patron to the delivering valet attendant.

In the case that the City Engineer creates an administrative "District," the City Engineer shall be responsible for communicating contact cellular phone numbers to all Sponsors/Operators in the District.

PUBLIC NOTICE AND MEETING

The City Engineer shall hold a noticed community meeting for applications for the purposes of allowing the public the opportunity to review a proposed valet plan and provide comments. Within 15 working days after acceptance of a completed application, the City Engineer shall set a time and place for the community meeting to be held within 30 calendar days of the date of acceptance, unless a venue cannot be secured, in which case, the meeting will be held as soon as possible after 30 calendar days.

The public notification area shall be both sides of the block where valet parking operations are being proposed, and one block perimeter around the site. Applicant shall reimburse the City for the expense of the public notification. However, if the City Engineer determines to broaden the boundaries and create a Valet Parking District, then all business owners and property owners within the proposed boundaries shall be notified. The City Engineer may also elect to give notice to other property and business owners which he determines might be affected by the granting of any permit.

MANNER OF GIVING PUBLIC NOTICE.

Posted Notice. Within 5 working days after meeting date is set, but no sooner than 12 calendar days before the date of the public meeting, Applicant shall, with City's written permission and approval of the content of the notice, produce and conspicuously place such notice of the application on both sides of a type II barricade placed adjacent to the proposed valet parking station. The sign shall measure 24" x 30" with the largest bold font size that will fit in the sign, according to the content, and shall contain the information indicated in the section below.

Mailed or Delivered Notice. Within 5 working days after hearing date is set but no sooner than 12 calendar days before the date of the public meeting, the City shall give notice of the application, as stipulated in the previous section.

CONTENTS OF PUBLIC NOTICE.

1. A reference to application materials on file for detailed information.
2. The name and contact of the Applicant and of the City representative, the date, time, and place of the meeting, and an invitation for the public to come to the meeting to give their input.
3. A statement that any person may, in person, by phone, letter, or e-mail, register a concern in the office of the Traffic Engineering Manager.
4. A statement that, if no concern is registered in the office of the Traffic Engineering Manager prior to 5:30 p.m. of the last operating business day before the meeting date, the City Engineer will make a decision on the requested Sponsor's permit based upon the information submitted by the Applicant.

CITY ENGINEER DECISION

Decision and Notice. The City Engineer, within 21 working days of the conclusion of a community meeting shall:

- a. Make findings of fact as required by these regulations;
- b. Based on the findings, approve, partially approve or disapprove the application, or approve the application subject to conditions, including without limitation, conditions restricting the hours of valet operation;
- c. Mail notice of the decision to the Business Representative and business and property owners within the block or in the case of a District, within the District boundaries.

REQUIREMENTS BEFORE PERMIT ISSUANCE:

1. A current ACCORD-compliant Workers' Compensation Certificate indicating the address of the valet parking area and the parking lot, and naming the City of Culver City as additional insured;
2. A current ACCORD-compliant Automobile Liability Insurance Certificate with \$1,000,000 coverage per occurrence and \$2,000,000 aggregate;
3. Garage liability coverage of one hundred thousand dollars (\$100,000.00);

4. Signed statements by the Sponsor and the Operator, approved as to form by the City Attorney, indemnifying the City of Culver City for any incidents leading to death, loss, damages, claims, and/or litigation in the roadways and in the public right-of-way while the Sponsor and the Operator are engaged in activities related to the operation of valet parking;
5. A statement indicating the number of valet attendants at the valet parking station(s) and at the parking lot(s);
6. A statement listing the names, California Driver's License number(s), and cellular phone number(s) of the employees, of the Operator at each valet parking station and parking lots that may be contacted during the hours of operation, in case of urgency/emergency;
7. A statement listing the name, and cellular phone number of the of the Sponsor that may be contacted during the hours of operation;
8. A statement indicating that adequate valet staffing levels shall be maintained at the valet parking station(s) and the parking lot(s). Acknowledging that adequate staffing levels shall be the number of attendants necessary to immediately drive patrons' vehicles to a parking location and avoid patrons' vehicles waiting for service from queuing at the curb, from queuing into the adjacent travel lane(s), from forming two queues, and/or from queuing across pedestrian crossing access points and crosswalks;
9. Independent of the previous requirement, a statement shall be provided agreeing that Sponsor shall provide additional valet attendants upon notification by the City Engineer , to improve operational management, for the period of time identified by the City Engineer;
10. A statement attesting that all valet attendant employees who will drive patrons' vehicles have a valid California Driver's License;
11. A statement indicating that Sponsor/Operator's staff will maintain a monthly digital log, in Excel or similar program, of the number of vehicles serviced at each valet parking station and parking lot, in 15-minute increments, served during the hours of operation, on each day the valet parking area(s) operates, as well as indicating the days of the month in which the valet parking area was not operational. This log is to be submitted to City staff no later than seven days after the end of each calendar month. Failure to submit may be cause for Suspension;
12. Valet parking attendants shall be required to wear easily identifiable uniforms, and shall submit photos and/or illustrations;

13. The valet operation signage shall be incorporated as part of the permit.

PERMIT REQUIRED FOR OPERATION

It is unlawful for any person to operate, engage in, conduct, manage, or cause to be operated, any valet parking operation or any related activity upon any portion of a public street or right-of-way without a Valet Parking Program permit authorizing the specific Sponsor and Operator at the specific location. A fine in the form of higher fees may be imposed on the Sponsor/Operator for such violation.

The City Engineer may, in his or her sole discretion, place additional conditions upon the issuance of the permit in order to insure the protection of the public rights-of-way and the rights of all adjoining property owners and the health, safety and welfare of the public.

Permits for the use of the public right-of-way shall be considered temporary and nonpermanent in nature, and Sponsor/Operator shall have neither property interest in nor any entitlement to the granting or continuation of any such permit.

Permits for the use of the public right-of-way may be terminated by the City, with or without cause, regardless of the nature and scope of financial or other interest in, or on account of, the permit or the permitted use. Temporary suspension of valet operations may be effected by the City Engineer in case of necessary work in the maintenance of the public right-of-way or in deference of public permitted events with which valet operations may conflict. Prior notice shall be given to Sponsor/Operator of as much time as the situation permits, but under normal circumstances, no less than 14 business days. In case of urgency or emergency, less notice time or no notice time may be given.

A valet parking operation may be conducted only at a valet parking area and during hours approved by the City Engineer and designated by official valet parking signs designating the authorized location and hours of operation. Permits shall designate the specific location for which a valet parking operation is approved.

A Permit shall not be required when all valet parking activity occurs completely on private property.

At each closing time, the Operator shall lock or cause to be locked each vehicle, and shall deposit or cause to be deposited, the key with a responsible representative at a convenient place. The key shall be delivered to the valet patron upon surrender of the parking ticket or otherwise upon proof that such person has the right to possess the vehicle.

VALIDITY PERIOD AND EXPIRATION OF PERMITS

Sponsor permits shall have a validity period of six calendar months but shall automatically expire on June 30th and on December 30th, without notice, unless renewed as provided in these regulations.

PERMIT RENEWALS

To ensure continuous permit coverage, a permit renewal must be obtained from the City Engineer no later than 20 working days before the expiration date as set forth in the **EXPIRATION OF PERMITS** in this document. Late renewal, after permit expiration, will result in delays in the evaluation of the previous period with the Sponsor/Operator, processing, and may cause an interruption in the operation.

MID-TERM EVALUATION

The City Engineer may require a mid-term evaluation meeting with the Sponsor and Operator near March-April or September-October.

ADDITIONAL EVALUATIONS/MEETINGS

The above does not preclude the City Engineer from requiring the Sponsor/Operator to attend meetings at other times during the life of the permit, to address specific concerns. In this case, such meetings shall be scheduled with reasonable consideration of the Sponsor/Operator schedule, except in the case of public health and welfare when the City Engineer may require immediate meetings, at the risk of Suspension of the permit for non-compliance to attend.

SIGNAGE

The Operator shall install and maintain, during hours of operation, at each valet parking area at which a patron surrenders his or her vehicle for parking, a sign plainly visible from the street with letters and numerals in contrasting colors, showing the Operator's name, the address and telephone number of the business, the time when the Operator is no longer on duty at that valet parking area, and the parking fee.

No signs shall be posted outside of the Valet Parking Plan. Any signage duly approved shall be made a part of the permit. Any wayfinding signs that are part of the permit shall be purchased at the sole cost of the Sponsor. The Sponsor shall pay for the signs and their installation to the City and the City shall cause their manufacture and installation.

OFF-SITE STORAGE OF STREET FURNITURE

The podium, portable signage, umbrella, 10' x 10' canopy, traffic cones, delineators, or any other device permitted for the use of the Operator, shall be removed and stored off-site at the conclusion of the hours of operation. Any device not in compliance may be confiscated.

VALET OPERATION STANDARDS

The Permit shall obligate the Sponsor and the Operator to conform to the content of this document and such regulations as may from time to time be issued by the City Engineer including the following:

1. The Operator shall, upon the receipt of each motor vehicle accepted for valet parking, give a claim check to the owner that identifies the Operator's name. The claim check shall explicitly state the terms and conditions under which the vehicle is being accepted.
2. A copy of the Sponsor's permits, Culver City business license and approved route map must be maintained at every valet parking area to be produced upon demand.
3. A Sponsor's permit continues to be valid at the approved valet parking area, even if the Sponsor changes Operators. The Sponsor shall submit the new Operator's information required in this document in case of such change.

PROGRAM PERMIT TYPES BASED ON DURATION OF OPERATIONS

SHORT-TERM SPECIAL EVENTS

1. Short-Term Special Event Permit. In a circumstance involving a special event or a special need of a single-entity Sponsor, a short-term permit for a period of operation not exceeding seven contiguous calendar days may be issued by the City Engineer, upon the submittal of a Short-Term Special Event Application, accompanied by the applicable documentation, proof of insurance, and fees. The Short-Term Special Event Permit Application shall be exempt from the

Long-Term Operation process and may be processed over-the-counter by the City Engineer.

2. Recurring Short-Term Special Event Permit. In a circumstance involving a special event or a special need of a single-entity Sponsor, that has a recurrence on a monthly basis, but not exceeding one day each month, a short-term recurring special event permit may be issued by the City Engineer, upon the submittal of a Short-Term Recurring Special Event Application, accompanied by the applicable documentation, proof of insurance, and fees. The appropriate fee shall be charged for each event within the period permitted. The permit shall be for a period of operation not to exceed six months and operation of only one day per month. The Recurring Short-Term Special Event Permit Application shall be exempt from the Long-Term Operation process and may be processed over-the-counter by the City Engineer.

UNCLAIMED VEHICLES

The Operator shall notify the Culver City Police Department whenever a vehicle has been left unclaimed for a period of forty-eight hours for towing purposes.

INDEMNIFICATION

The Sponsor, Operator, and any person acting under or pursuant to an Operator's permit, agrees to indemnify, hold harmless, release and defend (even if the allegations are false, fraudulent or groundless), to the maximum extent permitted by law, and covenants not to sue, the City, its City Council and each member thereof, and its officers, employees, commission members and representatives, from any and all liability, loss, suits, claims, damages, costs, judgments, and expenses (including attorney's fees and costs of litigation) which in whole or in part result from, or arise out of, directly or indirectly, wholly or in part, or are claimed to result from, or arise out of: (1) any use or performance under the permit; (2) the activities and operations of the Operator or Sponsor and their employees, subcontractors or agents; (3) any condition of property used in the operation; or (4) any acts, errors or omissions (including, without limitation, professional negligence) of the Operator or Sponsor and their employees, subcontractors or agents in connection with the valet parking operation.

This indemnity includes, but is not limited to, personal injury (including death at any time) and property or other damage sustained by any person or persons (including, but not limited to, companies, or corporations, Sponsor/Operator and its employees, valet parking customers and members of the general public).

ANNUAL SUMMARY REPORT

In addition to the **APPLICATION REQUIREMENTS** contained in this document, an annual summary report of vehicles serviced by valet parking area must be filed by the Sponsor with the City Engineer or his designee by February 1st or the next business day if the first is not a regular business day.

TRANSFERENCE OF SPONSORSHIP

Transference of Sponsorship is not permitted within the program. Each new Sponsor shall submit a completed application. However, public notification and public meeting requirements are not necessary for valet parking operations that are in existence and functioning to the satisfaction of the City Engineer when the change of Sponsor occurs. Nevertheless, if there is a lapse of time between the previous Sponsor and the new Sponsor, the valet operation shall be suspended during such time. For this reason, Sponsors are encouraged to work with staff to accomplish a gapless transition.

Notwithstanding the above, if there is a change in valet operations, such as new or different valet parking stations, then the application shall be considered new and all conditions and regulations contained in this document shall apply.

MODIFICATION OF A VALET PARKING AREA/DISTRICT

The City Engineer may periodically review valet parking zone(s) and/or districts and give notice to the business owners and property owners of the expansion of and/or consolidation of adjacent valet parking zones and/or districts into a larger zone/district where such expansion/consolidation will benefit the business community, the patrons to the area, and aid in the administration of the program.

The Sponsor may also request modification of an approved valet parking zone/district and the City Engineer shall consider the request. Any costs related to public notification and public meetings shall be the responsibility of the business association in this case.

PROHIBITIONS

The Operator shall at no time, commit or do any of the following acts:

1. Receive, take possession of a patron's vehicle, for the purpose of parking or temporary storage until the return of the vehicle to the patron or guest, or relocate from the private parking lot any patron's vehicle upon any portion of the public right of way or other public property; or
2. Park and leave standing any patron's vehicle upon any portion of a public right-of-way or other public property, including any publicly owned off-street parking space;
3. Park any patron's vehicle upon private property without the express written authorization by the owner or other person in charge of such private property;
4. Permit vehicular traffic on adjacent roadway or pedestrian traffic sidewalks or crosswalks to be impeded by the activities of the valet parking operation;
5. Charge any higher rates for parking than those rates posted;
6. Leave a patron's vehicle unlocked or place the key in or upon the parked vehicle.

FEES

The Weekly fee is payable on a monthly basis, in anticipation of the upcoming month, using a factor of 4.3 weeks in each month, at the current rate determined by the City Council. Payment is due on the first day of each month during the life of the permit and shall be considered late if not received by the Engineering Division by the end of the business day on the 5th day of the month. In the absence of payment by the day indicated above, the Sponsor shall be in violation and the Operator shall be suspended from the public right-of-way until this condition has been corrected; the Sponsor's permit shall be susceptible to Suspension and Revocation as specified in this document.

Should the Sponsor/Operator continue to operate after the permit has been terminated and should the City be forced to file suit to restrain Sponsor/Operator, the Sponsor shall, in addition to penalties herein, reimburse the City for its reasonable costs and expenses in connection therewith, including attorney's fees.

DAY SUSPENSION

Use of the public right-of-way which is permitted under the program, may be temporarily suspended, without prior notice, when, in the discretion of the Public Works Director and City Engineer, or the Chief of Police, or the Fire Chief, any such use, interfere with public safety, street improvement activities, special events, construction activities, or other activities, or for the health, welfare or safety of the public.

A Public Works Inspector, a Traffic Engineering Technician, or a Police Officer, at the direction of the City Engineer, may give notice to Sponsor/Operator and suspend all operations of a valet parking Operator in any location, except for retrieval of vehicles already subject to valet parking, for the remainder of the day's hours of operation (which suspension may extend to 9:00 a.m. of the following day).

Upon the issuance, to the Operator or its employees, of two or more notices of violation at any valet parking station or parking lot, of the California Vehicle Code, the Culver City Municipal Code, or the contents of this document, in any 5-hour period in said location, a suspension notice shall be issued to Sponsor/Operator. Such suspension may be effected any of the three subsequent days, after-the-fact, at the discretion of the City Engineer or his designee.

Upon the occurrence of any two traffic accident in any valet parking station or parking lot, during any 5-hour period, arising out of friction conditions with traffic flow, improper judgment by the Operator or his agents, a suspension notice shall be issued to Sponsor/Operator. Such suspension may be effected any of the three subsequent days, after-the-fact, at the discretion of the City Engineer.

SUSPENSION AND/OR REVOCATION

In case of suspension of the Operator's permit for a period longer than one operational day, written notice of temporary suspension may be personally delivered to the Sponsor and to the Operator's representatives as listed in the Application, or mailed to the address given on the Application pursuant to which such permit was issued. The temporary suspension is effective upon the earlier of either personal receipt by Sponsor and Operator's representatives or the expiration of 5 calendar days from the date of mailing. The notice of temporary suspension shall include a notice of informal hearing with the City Engineer, date, and time. The temporary suspension shall remain effective until the decision on revocation of the permit or continued suspension is determined by the City Engineer. The City Engineer may, from time to time, with or without temporary suspension, suspend or revoke any Sponsor's permit whenever the City Engineer determines, after notice and informal hearing and based upon substantial evidence, that the permit holder, or any of its drivers, employees, agents, or subcontractors:

1. Have operated or parked vehicles, or operated the valet parking operations, contrary to law, including the use of unlicensed drivers or the failure to comply with the Culver City Municipal Code, the California Vehicle Code, the regulations of this Program, or violation of any other law;
2. Have failed to comply with or violated any permit condition, including failure to maintain the minimum levels and standards of liability insurance for any period of time;
3. False or incomplete Application information was provided;
4. Any reason exists for which the permit might have been denied in the first instance;
5. The operations constitute a danger to public health, safety, welfare or public morals, including without limitation, interference with the public use of the streets, the normal flow of vehicle or pedestrian traffic on any public right-of-way; or
6. The operations constitute a public nuisance, including, but not limited to, a visual blight;
7. The Operator or his agents or employees, through carelessness, negligence or failure to make proper provision for the safeguarding of vehicles left in their custody, have facilitated or contributed toward the theft or vandalism of any such vehicle; or
8. The Operator or his agents or employees, have failed to cooperate with Culver City Police Department to aid in the detection of any theft or other crime committed on a parking lot used or which arose out of the conduct of the business for which the permit was issued; or
9. The Operator knowingly delivered a vehicle in their custody to a person who is neither the registered owner thereof nor entitled to the custody of such vehicle;
10. Upon delivery of a notice of decision to revoke or suspend a Sponsor's permit, the City shall have the right to require the immediate removal of all Sponsor's/Operator's obstructions in the public right-of-way, and may perform such removal if the Sponsor/Operator fails to do so. The Sponsor shall reimburse the City for any expense incurred by the City in removing any obstruction. Should the Sponsor/Operator continue to use the public right-of-way after the permit has been revoked or suspended, the City may, in addition to other remedies and actions, take appropriate action to restrain the use of the public right-of-way by Sponsor/Operator and, in such event, the Sponsor shall reimburse the City for its reasonable costs and expenses in connection therewith,

including reasonable attorney's fees and court costs;

11. If a permit is revoked by the City, Sponsor is entitled to a pro rata refund of the monthly permit fee, unless the City resources were used to remove obstruction as indicated above, in which case the costs will be charged against the refund due and the balance shall be reimbursed. If costs were beyond the pro rata refund, Sponsor may be billed for balance.

CONFORMANCE WITH APPLICABLE LAWS

The Sponsor is responsible for seeing that the Operator is in full compliance with the law, including these regulations. Violations by the Operator will subject the Sponsor, as well as the Operator, to fine, loss or suspension or revocation of permit and all other sanctions described herein.

Nothing in this document is intended to authorize or authorizes the parking of motor vehicles by valet parking Operators and Sponsors in a manner contrary to, and all Operators shall comply with, applicable state laws and local parking and traffic regulations, including the Culver City Municipal Code.

If a parking meter is present at the location reserved for valet parking, the Operator shall not "feed" the parking meter but may, during the hours of authorized valet parking operations that overlap the hours of meter operation, cover the parking meter in a manner approved by the City Engineer. Parking meter covers will be issued by the City Engineer at the cost of Sponsor/Operator.

SMALL BUSINESS PARTICIPANTS

- A. Notwithstanding the above, the Program shall allow Small Business Participants (SBP), conditioned upon full compliance with the Program, except as explicitly indicated in this Section.
- B. SBP's shall meet all application requirements, as set forth in the "Application Requirements" section, except as follows:
 - 1. Affiliation with a Business Association shall not be required. Applications shall be accepted from stand-alone small businesses;
 - 2. A petition shall not be required.
- C. SBP's shall not be required to operate as universal valet parking station, except as set forth in this Section. Upon not meeting such criteria, SBP's shall function as universal valet parking operations. Additionally, notwithstanding this paragraph, SBP's shall function as universal valet parking operations upon the expiration of a 30-days written notification by the City Engineer, at his discretion.
- D. SBP Qualifications Criteria
 - 1. The business shall occupy 1,500 square feet or less;
 - 2. If the business is a restaurant, it shall have 49 seats or less;
 - 3. The business is conditioned by the City to operate a valet parking station due to lack of adequate on-site parking;
 - 4. Adequate shared-use off-site private parking shall be secured to meet the parking demand generated by the business;
 - 5. SBP applicant requests up to 2 on-street parking spaces for is proposed valet parking station. At any time, at the discretion and initiative of the City Engineer, additional parking spaces may be assigned to the SBP to augment its operational space and thereby prevent valet parking patron vehicles from queuing into the adjacent travel lane, at the cost established for such additional parking spaces by the City Council;
 - 6. The SBP shall submit an initial letter with its application, and thereafter, an annual letter, shall be submitted to the City Engineer, by the SBP to attest that each of the SBP Qualifications Criteria will still met during the upcoming calendar year. Such letter shall be submitted no later than 20 days prior to the end of the calendar year, as long as the SBP is operating a valet parking station.

- E. SBP Criteria to Operate as a Stand-Alone Valet Parking Station
 - 1. The SBP applicant would have the only valet parking station in the operational area.
- F. SBP Criteria to Operate as a Universal Valet Parking Station
 - 1. Upon the approval of a second valet station in the operational area, for an SBP or otherwise, the valet operations shall be converted from stand-alone to universal;
 - 2. At the discretion of the City Engineer, after 30-days written notice.
- G. Fees charged to SBP's shall be as established by the City Council.

REGULATIONS

- 1. The City Engineer may, from time to time, issue written regulations for distribution to Applicants and Permittees regarding the implementation of the provisions of this program, including, but not limited to, the safe and lawful conduct of all valet operations, permit application procedures and permit standards.
- 2. Such regulations shall be binding upon Applicants and Permittees, who shall comply with such written regulations as a term and condition of the permit.

For further information please contact the Traffic Engineer Section of the Engineering Division, Department of Public Works, at (310) 253-5600.

EXHIBIT "B"

The following fees are established for and applicable to the Citywide Valet Parking Program:

	DESCRIPTION OF FEE	FEES FOR SMALL BUSINESS PARTICIPANTS	FEES FOR ALL OTHERS
1.	Application Fee For the initial Sponsor application	\$165.00	\$165.00 per hour, minimum of 3 hours
2.	Weekly fee Payable in advance on a monthly basis, for each valet station of up to 40 feet long	\$20.00	\$100.00
3.	Weekly fee for an additional 20 feet, beyond 40 feet	\$20.00	\$25.00
4.	Weekly fee for an additional 20 feet, beyond 60 feet	\$25.00	\$60.00
5.	Biannual Permit Fee	*\$299.52 (\$120 x 2=\$240)+(\$48 issuance)+(4%=\$11.52)	\$299.52 (\$120 x 2=\$240)+(\$48 issuance)+(4%=\$11.52)
6.	Modification Fee To study any requested modification and its cost/benefit	\$165.00 per hour, minimum of 3 hours	\$165.00 per hour, minimum of 3 hours
7.	Late fee For failing to pay the Weekly fee, which is charged on a monthly basis, by or before the 5 th of the month.	10% of monthly fee, per day late after the 5 th of the month, but not more than 50% of monthly fee.	10% of monthly fee, per day late after the 5 th of the month, but not more than 50% of monthly fee.
8.	Wayfinding Sign fee	\$55 per sign (or then-current cost)	\$55 per sign (or then-current cost)
9.	Operating without a permit	Double the Non-Small Business Participant Application Fee (\$495 x2=\$990) and the first Biannual Permit Fee (\$299.52x2= \$599.04)	Double the Application Fee (\$495 x2=\$980) and the first Biannual Permit Fee (\$299.52x2= \$599.04)

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Meeting Date: 06/22/09		Item Number: A-2	
AGENDA ITEM: (1) Adoption of a Resolution Establishing the Downtown Valet Parking Program Procedures and Regulations and Related Program Fees; and (2) Consideration of a Fee Waiver Request from the Downtown Business Association Related to the Valet Parking Pilot Program.			
Contact Person/Dept.: Gabe Garcia/PW		Phone Number: (310) 253-5633	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒	Attachments: ☒
Public Notification: Master E-Mail Notification List (06/17/09). The Downtown Business Association and Culver City Chamber of Commerce via e-mail on (06/17/09)			
Department Approval: Charles D. Herbertson (06/16/09)		City Attorney Approval: Carol Schwab (by H. Baker) (06/18/09)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (06/18/09)		City Manager Approval: Mark Scott (06/18/09)	

RECOMMENDATION:

Staff recommends the City Council adopt a Resolution establishing the Downtown Valet Parking Program and related Program fees; and (2) consider the fee waiver request from the Downtown Business Association related to the Valet Parking Pilot Program.

BACKGROUND:

On April 21, 2008, the City Council authorized the implementation of a pilot valet parking program in the Downtown area and authorized staff to work with a business association for its implementation. The pilot program was authorized for six months with a three month extension. Subsequently, the Downtown Business Association (DBA) submitted an application to the Engineering Division to sponsor a valet parking contractor during the trial period. After all documentation requirements were satisfied, as per the adopted pilot program regulations, the DBA and their valet parking contractor commenced work in the Downtown area. (The staff report of April 21, 2008 and the Valet Parking Pilot Program (Program) regulations are attached for your reference.)

During this trial period stakeholders expressed a desire for changes to the Program. The DBA and the valet contractor requested shorter transit routes between the pick-up points and the private parking lots used for valet parking in order to increase valet expediency and decrease costs. Staff approved the addition of a parking lot and the proposed transit route to and from the new parking lot, which accomplished the desired outcome. Also the DBA requested to relocate a pick-up point from Watseka Avenue to Washington Boulevard, in order to obtain greater visibility. Staff did not

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allow this requested change of location as the adopted pilot program had three approved locations.

In November 2008, the DBA's first valet parking contractor resigned because the company stated it was operating in a deficit in Culver City and believed it would not be profitable within the immediate future. The DBA hired another valet parking contractor, Coast to Coast Parking. In spite of the change of valet contractors midway through the pilot period and the desire for some modification by stakeholders, the pilot program has been a great success due to the cooperative and active participation of the DBA, Coast to Coast Parking, and the City. The success of the program has attracted the attention of other Culver City businesses wishing to participate in creating additional valet stations in proximity to their businesses. Also, the press has written articles about the program and its benefits. Additionally, some municipalities have contacted staff to obtain information about the program as they consider creating or modifying their own. (A few articles have been attached for your information.)

Culver City businesses who have contacted staff asking to participate in the Valet Parking Program include businesses in the Downtown area as well as from other parts of the City. These requests could not be accommodated during the pilot period. In the Downtown area, interested businesses include the Culver Hotel, Kay 'n Dave's and M Café. In other parts of Culver City, interest has been expressed by businesses on Washington Boulevard (both east of downtown and west of the I-405 freeway) and on Sepulveda Boulevard south of Culver Boulevard.

The experience gained during the pilot program and information gained from the review of other municipalities' valet parking programs was used to form the program that is now being proposed. The program, as presented, addresses the business community's needs and balances them with the Public Works Director/City Engineer's responsibility to manage parking, traffic, and the public right-of-way.

DISCUSSION:

The parking supply is a scarce resource and would be insufficient to provide adequate curb-space for each individual business that desires valet parking and still leave adequate street parking for short-term turn-over parking for other businesses' patrons. Because of this, the concept of universal valet parking serving a business community is the most favorable scenario for all, where all businesses in a given area share in the benefits.

Additionally, the proposed Program creates the potential for valet parking to use off-street private parking spaces during evenings, nights, and weekends, when parking

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demand at such businesses might be low or non-existent. This, in turn, prevents the parking demand in an active business district from creating a parking intrusion problem on adjacent residential neighborhoods or a burden on street-side public parking spaces, making such parking spaces more readily available for short-term self-parking turn-over.

Below are highlights of the proposed Program:

Program Highlights:

- The Program will be managed under a conditional bi-annual permit issued to a Business Association.
- A Business Association is defined as any organization, association, or group selected or formed by the businesses of a block or area to act on their behalf as the liaison between the City and the businesses for the purposes of coordinating the Downtown Valet Parking Program participation request and process.
- The Business Association may apply to become a Sponsor and establish a valet parking operation in the Downtown area;
- A Sponsor is any person who operates, or causes to be operated, valet parking station(s) at the Sponsor's business location(s) as approved by the City Engineer or his designee.
- Sponsor's applications will require a petition signed by property owners and business owners, include business license, insurance, scaled plan, and payment of appropriate fees;
- Days and hours of operation would be determined by the City Engineer on a case-by-case, location-by-location basis, using sound traffic engineering judgment;
- Routes between valet parking stations and private parking lots are determined by the City Engineer, with the protection of the residential community and the general public being the most important factors;
- Valet patrons may drop-off or pick-up their vehicles at any valet parking station even when they are operated by different Sponsor/Operator;

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- A public meeting would be held prior to the final decision regarding the new Sponsor, to disseminate information on the operation of the program and obtain input from the public;
- Valet parking contractor hired by the Sponsor becomes the Operator of the valet parking station(s);
- Long-term and short-duration special event valet parking defined and regulated.

Existing Downtown Valet Parking Areas 1, 2, and 3

If the City Council decides to adopt the Downtown Valet Parking Program, the three valet stations presently in the Downtown area would remain as they are. However, under the new program, staff would be able to promptly respond to requested changes and, if appropriate, implement them.

Potential new Valet Parking Areas

Under the potential permanent program, new qualified Sponsors in the Downtown area may be considered.

The DBA has submitted a letter of support asking City Council to consider permanently adopting the program. The letter is attached for your reference.

Staff believes the proposed program would be beneficial in other areas of the City. In defining the City-wide program, staff proposes to consult with the business community and business associations through public meetings. Also the Traffic Committee will be consulted as well. Staff will present a City-wide valet parking program for City Council's consideration later this year.

Request from DBA for Waiver of Fees under the Valet Parking Pilot Program

During the pilot program, the fee for the use of the public right-of-way by the DBA's valet parking contractor was \$100 per week for each of the three valet stations for the use of three to five parking spaces, or 60- to 100-feet at each station. The fee was due on a monthly basis. During the eleven months of the pilot program, the DBA did not pay any of the monthly fees of \$1,290 (based on a weekly amount of \$100 x 3 stations x 4.3 weeks) for operating three valet stations.

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Staff repeatedly requested the DBA in meetings to pay the outstanding permit fees. The DBA was also given invoices of the permit fees. The DBA stated that they could not afford the permit fees at that time. At this time, the DBA requests that the City Council waive the monthly fee incurred between July 2008 and June 2009. The total amount is \$15,480. The letter is attached to this report.

FISCAL ANALYSIS:

Permanent Program Fees

Several fees (indicated by an asterisk), are based on Council-adopted fees for Public Works/Engineering for FY09-10, as adopted at the Council meeting of May 11, 2009. Because the program would be based on PW/Engineering permits, each permit will be assessed a \$48 issuance fee and a 4% Technology Surcharge. The fees will be adjusted annually to comply with the then-current Council-adopted rates.

Application Fee	*\$165.00 per hour, minimum of 3 hours
Weekly fee Payable in advance on a monthly basis, for each valet station of up to 100 feet long	\$100.00
Weekly fee for an additional 20 feet, beyond 100feet	\$25.00
Weekly fee for an additional 40 feet, beyond 100 feet	\$60.00
Biannual Permit Fee	*\$299.52 (\$120 x 2=\$240)+(\$48 issuance)+(4%=\$11.52)
Modification Fee To study any requested modification and its cost/benefit	*\$165.00 per hour, minimum of 3 hours
Late fee For failing to pay the Weekly fee, which is charged on a monthly basis, by or before the 5 th of the month.	10% of monthly fee, per day late after the 5 th of the month, but not more than 50% of monthly fee.

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Wayfinding Sign fee	*\$55 per sign (or then-current cost)
Operating without a permit	*Double the Application Fee (\$495 x2=\$990) and the first Biannual Permit Fee (\$299.52x2= \$599.04)

ATTACHMENTS:

- 1) Proposed Resolution
- 2) Staff Report of April 21, 2008
- 3) Valet Parking Pilot Program Regulations
- 4) Press Articles
- 5) Letter of support from the DBA encouraging the adoption of the permanent program
- 6) Letter from the DBA asking forgiveness of fees from July 2008 to June 2009.

MOTIONS:

That the City Council:

- 1) Adopt a Resolution Establishing the Downtown Valet Parking Program Procedures and Regulations and related Program fees;

AND

- 2A) Approve a fee waiver in the amount of \$15,480 as requested by the DBA for fees related to the Valet Parking Pilot Program;

OR

- 2B) Approve a partial fee waiver in the amount of \$_____ (not to exceed \$15,480);

OR

- 2C) Deny the fee waiver request presented by the DBA.

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Meeting Date: 4/21/2008		Item Number: J-2	
AGENDA ITEM: A JOINT ITEM: Consideration and Adoption of a Valet Parking Pilot Program in the Downtown Area			
Contact Person/Dept.: Gabe Garcia		Phone Number: (310) 253-5633	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒	Attachments: ☒
Public Notification: Verbal notification has been given to the DBA; Master Notification List (04/17/08)			
Department Approval: Charles D. Herbertson (04/09/08)		City Attorney Approval: Carol Schwab (by H. Baker) (04/16/08)	
Fiscal Impact Review: Jeff Muir (04/16/08)		City Manager Approval: Jerry B. Fulwood (04/17/08)	

RECOMMENDATION:

Staff recommends the City Council consider and adopt the Valet Parking Pilot Program ("Pilot Program") for implementation in the Downtown Area and authorize staff to commence this Pilot Program immediately.

BACKGROUND:

The development of this Pilot Project is the result of a collaborative effort with the DBA, their membership, and stakeholders.

As Downtown continues to develop and prosper, businesses are opening that attract a clientele that values valet parking. Several Downtown restaurants have expressed interest in providing valet parking at their location or to have that service generally available to their clientele. Up until the present time, valet parking has been permitted only on a limited, "special event" basis for such functions as art gallery openings, Mercedes Benz Fashion Week, and private parties.

Over the course of much of 2007, the Redevelopment Agency as well as the City, through the Engineering Division, has been in contact with the DBA, restaurants, and stakeholders, dialoguing about the need for valet parking. Staff has responded to the expressed need of all stakeholders, and has collaboratively formulated the proposed Pilot Program.

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DISCUSSION:

EXISTING CURB-SIDE PARKING CONDITIONS IN DOWNTOWN

Parking spaces in the public right-of-way in downtown Culver City are limited because most of the roadway width is needed for traffic flow. There are contiguous block faces where curb-side parking is not available for this reason. Generally, there is less curbside parking in downtown than in most other areas of similar size in Culver City. In recognition of this, three public parking structures have been built by the Redevelopment Agency.

Considering the current strong demand for parking in the Downtown, a group of staff representing Redevelopment, Planning, and Engineering, walked and surveyed the downtown area, identifying all possible areas where valet parking could be instituted. Several potential locations were identified. Once the sites were analyzed and the criteria mentioned below were applied, three viable locations made the final list. Among the locations that did not meet the criteria were several curbside spaces on the perpendicular streets to Culver Boulevard and to Washington Boulevard.

COMMUNITY VALET SERVICE PHILOSOPHY

The above scenario makes it infeasible to provide valet parking for single entities (i.e., individual businesses). Therefore, staff concludes that the best interest of all entities desirous of valet parking is best served by a curbside valet program that services the community as a whole, or at a minimum, a group of interested restaurants and businesses on the same block(s).

CRITERIA UTILIZED IN SELECTING THE POTENTIAL LOCATIONS

The criteria utilized by staff in assessing the appropriateness of a location to serve as a potential site for valet parking were the following:

1. VEHICULAR SAFETY: A potential valet service area would need the adjacent adequate space to permit merging in and out of the travel lane and into the valet service area safely;
2. PEDESTRIAN SAFETY: A potential valet service area would need the adjacent sidewalk width to accommodate a valet station and several valet attendants and concurrently provide for ADA compliance and unimpeded pedestrian flow;

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3. **MINIMUM VALET SERVICE AREA OF 60 FEET:** A potential valet service area would need a minimum curbside length of 60 feet for entering and exiting maneuvers, and to serve two valet patrons concurrently;
4. **NO QUEUING INTO CROSSWALKS:** A potential valet service area would need to not interfere with pedestrian crossings and would, at the busiest valet period, not queue valet service patrons' vehicles into crosswalk areas;
5. **EFFICIENCY:** A potential valet service area would need to not interfere with the afternoon peak hour of traffic flow, generally, 4 p.m. to 7 p.m.; and
6. **RESIDENTIAL NEIGHBORHOOD PROTECTION:** A potential valet service area would need to not use residential neighborhoods in its activities and routes to and from the valet service area.

LOCATIONS THAT MEET THE CRITERIA

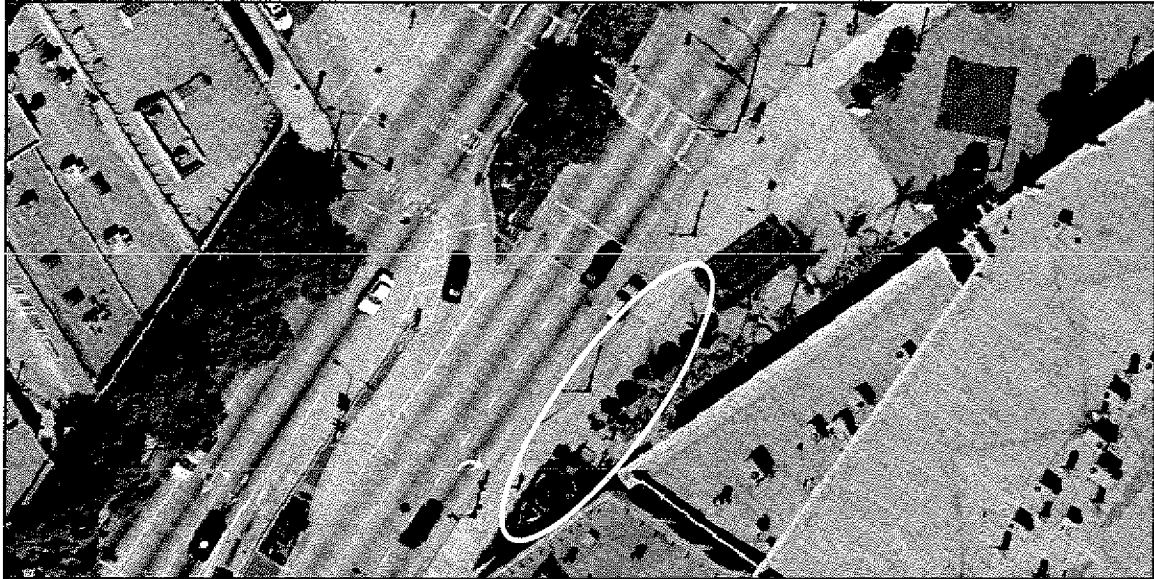
The locations that meet staff's criteria are the following:

1. On westbound Washington Boulevard, the area immediately west of Main Street (Area 1);



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2. On eastbound Washington Boulevard, the first "cutout" immediately east of Irving Place (Area 2).



3. On northbound Watseka Avenue, the two loading parking spaces immediately north of the alley that is located north of Washington Boulevard. (Area 3).



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PILOT PROGRAM

Attachment No. 1, the proposed Pilot Program, Downtown Culver City, contains the full text of the proposed Pilot Program, for the City Council's consideration. Staff recommends adoption of this Pilot Program for a period of six months, with a three-month extension, if necessary. The proposed Pilot Program covers all details necessary to assure a successful Pilot Program. Among the topics are documentation required, hours of operation, valet attendant staffing levels, fees, securing adequate parking, and others.

PILOT PROGRAM PERMIT ISSUANCE

Presently, there is no provision in the Culver City Municipal Code (CCMC) and there is no adopted City Council policy that addresses specifically the regulatory/permitting process applicable to long-term operation of a valet service. However, the CCMC gives the City Engineer the authority to regulate the use of the public right-of-way, including parking and encroachment permits. It is under this authority that staff proposes to execute the Pilot Program.

At the conclusion of the six-month trial, Staff will return to the City Council/Redevelopment Agency the Proposed Valet Parking Program at a joint Agency and Council meeting, for consideration and adoption as a permanent program. At such time, staff may recommend changes to the existing program, including potential expansion of the program Citywide, if appropriate.

Contingent upon Council approval, the Public Works Department, through the Engineering Division, will accept applications from Associations to participate in this Pilot Program. The Pilot Program is only for the Downtown area of Culver City.

When all required documentation, application and fees are submitted, the Engineering Division, under the authority of the City Engineer, will issue a six-month permit to the Association.

FISCAL ANALYSIS:

There will be no fixed new expense to the City or the Agency. Occasionally, members of our respective staffs may need to inspect operations during evenings/nights and weekends. This overtime cost is undetermined. The potential revenue during the 6-month pilot may be approximately \$8,000.

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ATTACHMENTS:

- 1) Proposed Valet Parking Pilot Program

MOTION:

That the City Council and the Redevelopment Agency:

Consider and adopt the proposed Pilot Valet Parking Program for implementation in the Downtown Area, and authorize staff to commence this program immediately.