

**City of Culver City, California
Agenda Item Report**

Meeting Date: 12/13/10		Item Number: <u>A-1</u>	
CITY COUNCIL AGENDA ITEM: Adoption of a Resolution to Increase the Civil Penalties and Surcharges for Parking Violations under the Culver City Municipal Code and the California Vehicle Code and Rescind Resolution No. 2009-R041			
Contact Person/Dept.: Dianne Gifford/Police Department		Phone Number: (310) 253-6252	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒	Attachments: ☒
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: Meetings and Agendas – City Council (12/09/10); Advertisement in the Culver City News (12/09/10).			
Department Approval: Don Pedersen (12/01/10)		City Attorney Approval: Carol Schwab (by L. Vidra 12/02/10)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (12/08/10)		City Manager Approval: John Nachbar (12/09/10)	

RECOMMENDATION:

Staff recommends that the City Council adopt a Resolution increasing the civil penalties and surcharges for parking citations under the Culver City Municipal Code and the California Vehicle Code and Rescinding Resolution No. 2009-R041.

BACKGROUND:

California Vehicle Code Section 40203.5 authorizes local legislative bodies to establish civil penalties for parking violations within the City's jurisdiction. The State of California currently imposes surcharges totaling \$9.50 per paid parking violation, to be paid to the county, which then passes a portion of the surcharges along to the State. Culver City's parking penalties were last increased in June 2009 to cover the State's then \$4.50 surcharge increase.

An additional surcharge has been added by the State to parking citations issued on and after December 7, 2010, due to the recent adoption of the 2010 California Budget Act. The new additional surcharge is \$3.00, which will increase the total State and County surcharges to \$12.50 per paid parking violation. The bill increasing the surcharge is SB 857, which adds section 76000.3(a) to the Government Code, which states, "Notwithstanding any provision of law for each parking offense where a parking penalty, fine, or forfeiture is imposed, an added penalty of three dollars (\$3) shall be imposed in addition to the penalty, fine, or forfeiture set by the city, district, or other issuing agency." The mechanism for distributing the money is to send it to the court/county for eventual remittance to the

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State Treasurer. The bill also creates a sunset clause for the \$3.00 surcharge in July 2013, barring any other action by the State.

DISCUSSION:

In November, staff compared the surrounding cities of Santa Monica, Los Angeles, West Hollywood and Beverly Hills, who have also raised their fines, to ascertain if Culver City's parking penalties were consistent. (Attachment 1) In order for Culver City's parking penalty amounts to be in line with the surrounding areas and to better act as a deterrent to illegal parking, staff believes that it is in the City's best interest to restructure the current parking fine schedule and increase the fines. The proposed increased fines are reflected in Exhibit A to the proposed Resolution. (Attachment 2) The penalties have increased by \$5.00 with a few exceptions to maintain consistency between codes and with surrounding city fines.

Staff also recommends that a \$25.00 surcharge be placed on citations that are subject to collections. This would encourage violators to pay their citations prior to moving into collections and help the City recoup costs of collection efforts.

FISCAL ANALYSIS:

There were 28,707 parking citations collected in Fiscal Year 2009/2010. Assuming the proposed fines had been implemented, the money owed to the State would increase by \$86,121.00.

There is no cost required to reprogram a new fine structure in the automated ticket writers, therefore no additional ticket stock will be needed for the machines. Automated ticket writers account for about 86% of all parking citations issued.

There is an estimated cost, based on our last purchase, of about \$3,500 to purchase handwritten parking citation stock. Fourteen percent of citations issued are handwritten requiring new ticket stock. The estimated cost based on our last purchase a year ago is no more than \$3,500, however, staff will decrease the amount ordered in anticipation of further surcharge mandates by the State. There is sufficient funding in the Police Department's budget to cover the cost of any purchase.

ATTACHMENTS:

1. Comparison Chart
2. Proposed Resolution

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MOTION:

That the City Council:

Adopt a Resolution increasing the civil penalties and surcharges for all parking citations under the Culver City Municipal Code and the California Vehicle Code and Rescinding Resolution No. 2009-R041.