

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

Meeting Date: 09/24/2012		Item Number: A-5	
CITY COUNCIL AGENDA ITEM: (1) Introduction of an Ordinance to Amend Culver City Municipal Code Section 7.03.525 Regarding the Prohibition of Parking at Expired or Inoperable Parking Meters, and (2) Approval of the Use of Adhesive Stickers on City Parking Meters to Give Notice That Parking at an Inoperable Meter is Prohibited.			
Contact Person/Dept.: Dianne Gifford/PD		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 (09/20/12)			
Department Approval: Don Pedersen (9/13/2012)		City Attorney Approval: Carol Schwab (by Lisa Vidra) (09/19/12)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (09/19/12)		City Manager Approval: John M. Nachbar (09/19/12)	
<u>RECOMMENDATION:</u> Staff recommends that the City Council: (1) Introduce an ordinance to amend Culver City Municipal Code Section 7.03.525 regarding the prohibition of parking at expired or inoperable meters; and (2) Approve the use of adhesive stickers on City parking meters to give notice that parking at an inoperable meter is prohibited. <u>BACKGROUND:</u> Parking meters may become jammed and inoperable at times as a result of tampering by individuals who may be attempting to avoid payment. Foreign objects such as paperclips, razor blades, nails and other assorted items are commonly used in these attempts to bypass payment, which has caused damage to meters and may result in injury to meter technicians and money collectors. To suppress meter vandalism and the subsequent use of costly City resources, Culver City has historically relied on Culver City Municipal Code (CCMC) Section 7.03.525 which states: “No operator of any vehicle shall permit said vehicle to remain parked in any parking space during any time that the meter is showing a signal indicating that such space is illegally in use other than such time necessary for the operator to comply with 7.03.515 (Attachment 1).”			

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The language in the CCMC “illegally in use” refers to parking in spaces where the time on the meter has expired or where the meter is inoperable, i.e. jammed. The older meters in the City, if jammed, indicate “out of order” or “fail,” and also display three universal “no parking” symbols (a large red P with a red circle and diagonal line through the center), giving appropriate notice to the motorist that no parking is allowed. The symbols and the words “out of order” appear only if the meter is jammed or full of coins and unable to accept more coins.

The newer meters and pay stations in the City do not display the “no parking symbol.” Because these meters allow for payment via credit card, a jammed meter may still accept credit cards and will display time allowed for parking upon payment.

The technology of new meters allows for immediate communication with repair personnel when the meter detects a jam, and repairs are expeditious. Old meter jams are currently addressed during weekly meter collections (some meters are collected twice per week).

DISCUSSION

On July 10, 2012, Governor Brown signed into law Senate Bill No. 1388 (SB1388), which, among other things, added Section 22508.5 to the California Vehicle Code (CVC), which provides in pertinent part as follows:

(a) Except as provided in subdivision (b), a vehicle may park, for up to the posted time limit, in any parking space that is subject to an inoperable parking meter or inoperable parking payment center.

(b) Local authorities may, by ordinance or resolution, prohibit or restrict the parking of vehicles at inoperable parking meters or inoperable parking payment centers. No ordinance or resolution adopted by a local authority pursuant to this section shall become effective until signs or markings giving adequate notice of the restriction or prohibition on parking have been placed at parking locations, parking meters, or parking payment centers (Attachment 2).

In an effort to keep meter vandalism at bay, the cities of Los Angeles and Santa Monica have already given notice of the prohibition of parking in a space where the meter or pay station is inoperable. Both cities have placed adhesive stickers on all meters specifying that the meters require payment to park unless legally exempt. The stickers reference the applicable CCMC section, and state “if one form of payment is not accepted, you must use another form or park in a different space to prevent receiving a citation.” The sticker also provides a phone number to report broken meters, ensuring repairs are made in a timely manner. A copy of the adhesive sticker used by the City of Los Angeles is attached for the City Council’s review (Attachment 3).

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Due to the adoption of the new CVC section, staff recommends that the City Council introduce the proposed Ordinance which would amend the language of CCMC 7.03.525 to make it clear that it is prohibited to park in parking spaces where the meter or pay station is inoperable (Attachment 4). Staff also recommends that the City Council adopt the manner of notice instituted by the City of Los Angeles, to provide uniformity in the local area (Culver City is surrounded by Los Angeles and many streets are metered by the City of Los Angeles up to its border with Culver City, and then the street is metered by Culver City within our City's jurisdiction).

FISCAL ANALYSIS:

To date there has been no cause to track resources used to repair the broken meters or loss of revenue due to meter damage.

The Public Works Department estimates that the purchase price for the stickers will be about \$4,000 plus tax. The funding will come from the Parking Meter CIP (Capital Improvement Plan) included in the City Council Adopted Budget for Fiscal Year 2012/2013.

Public Works staff will install the stickers on every meter and pay station. Staff anticipates associated sticker costs will be offset through the prevention of increased meter tampering.

ATTACHMENTS:

1. CCMC 7.03.525
2. Vehicle Code Section 22508.5
3. City of Los Angeles parking meter sticker
4. Proposed Ordinance

MOTION:

That the City Council:

- (1) Introduce an ordinance to amend Culver City Municipal Code Section 7.03.525 regarding the prohibition of parking at expired or inoperable parking meters, and waive further reading; and
- (2) Approve the use of adhesive stickers on City parking meters to give notice that parking at an inoperable meter is prohibited.