

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 06/08/2009		Item Number: A-2	
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 Rescinding Resolution No. 2008-R076			
Contact Person/Dept.: Dianne Gifford/Police		Phone Number: (310) 253-6252	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Master E-Mail Notification List (06/03/09); Advertisement in the Culver City News (06/04/09)			
Department Approval: Don Pedersen (05/21/2009)		City Attorney Approval: Carol Schwab (by H. Baker) (06/01/09)	
Chief Financial Officer Approval: Jeff Muir(by N. Kimball)(06/03/09)		City Manager Approval: Mark Scott (06/03/09)	

RECOMMENDATION:

Staff recommends the City Council adopt a Resolution increasing the civil penalties and surcharges for parking violations under the Culver City Municipal Code and the California Vehicle Code, and rescinding Resolution No. 2008-R076.

BACKGROUND:

California Vehicle Code Section 40203.5 authorizes local legislative bodies to establish civil fees and surcharges for parking violations within the City's jurisdiction. The parking penalties were last increased in November 2008 and included the State Courthouse fee which had been \$5.00 per citation since 1993. Subsequent to that increase, the State of California passed Senate Bill 1407 which amended Government Code Section 70372(b) to increase the parking penalty by an additional \$4.50 for every parking offense. The \$4.50 is to be collected and distributed by the Court (\$3.00 to the Immediate and Critical Needs Account and \$1.50 to the State Court Facilities Construction Fund).

DISCUSSION:

Government Code Section 70372(b) states in part: "...In addition to the penalty provided by subdivision (a), for every parking offense where a parking penalty, fine, or forfeiture is imposed, an added state court construction penalty of four dollars and fifty cents shall be included in the total penalty, fine, or forfeiture..." The mechanism for distributing the money is to send it to the court/county for remittance to the State Treasurer.

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In February 2009, the Los Angeles Superior Court sent a letter to all agencies clarifying the parking citation revenue distribution that the Court shall receive. Attachment A shows the Parking Citation Revenue Distribution. The City is now required to pay a total of \$9.50 for every parking offense in addition to other varying fines, fees and penalties on handicap citations and registration and equipment violations. The City is currently collecting only \$5.00 per citation.

The increase of revenue distribution was unanticipated when the civil penalties were increased last November.

For purposes of processing and placing a delinquent citation on DMV registration hold, the fine increase is necessarily rounded up to an even amount of \$5.00.

FISCAL ANALYSIS:

There were 9,572 parking citations issued from January 1, 2009 through April 30, 2009. At \$5.00 per citation, the City has lost \$47,860.

There will be an additional one-time cost to the Police department of approximately \$3,500 for the printing of handwritten parking citations that contain the new citation amount.

ATTACHMENTS:

- A. Los Angeles Superior Court Parking Citation Revenue Distribution
- B. Proposed Resolution

MOTION:

That the City Council:

Adopt a Resolution increasing the civil penalties and surcharges for all parking violations under the Culver City Municipal Code and the California Vehicle Code, and rescinding Resolution No. 2008-R076.