

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 10/10/05		Item Number: <u>A-7</u>	
AGENDA ITEM: Consideration Regarding Exempting Vehicles Belonging to Certain Classification of Veterans from Certain Municipal Parking Regulations.			
Contact Person/Dept.: John Rivera/PW		Phone Number: 253-6423	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☐	
Public Notification: Master Notification List via email on October 5 th and Neil Rubenstein, Culver City Veterans Affairs Committee via telephone call on October 5 th .			
Department Approval: Charles D. Herbertson 9/29/05		CAO Approval: Scott Bixby for Jerry Fulwood 10/4/05	
City Controller Approval: Mary Noller for Marlee Chang for 10/4/05			
<u>RECOMMENDATION:</u> That the City Council consider the options presented and give further direction to staff regarding exempting vehicles belonging to certain classification of veterans from certain municipal parking regulations. <u>BACKGROUND:</u> At the City Council meeting of May 23, 2005, Councilmember Rose requested and the Council concurred that this item be scheduled on a future agenda for discussion. The issue relates to whether the City should exempt from municipal parking fees and/or regulation certain holders of special interest license plates issued to certain veterans of the United States Military Services. Section 5060, of the State of California Vehicle Code (VC) allows for the issuance of special interest license plates to organization meeting specific criteria. Included in this category of special plates are different veteran related groups. The issuance of a special license plate within each group is also subject to specific VC requirements. For purposes of this discussion, the groups being considered for exemptions are VC Sections 5101.3 Pearl Harbor Survivor, 5101.4 Legion of Valor, 5101.5 Former American Prisoner of War, 5101.6 Congressional Medal of Honor and 5101.8 Purple Heart Recipient (See Attachment No. 1). Other than the provisions of VC Section 22511.5, Disabled Parking, which applies to disabled veterans, the VC does not provide specific exemptions for any special interest licensed vehicles from local parking fees and/or regulations. Local jurisdictions may adopt such exemption that they deem appropriate.			

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Such exemptions have been adopted by the City of Fresno. The Fresno regulations allow a person to park a motor vehicle with a special license plate issued to Medal of Honor recipients, Legion of Valor recipients, Purple Heart recipients, Pearl Harbor Survivors and Former Prisoners of War to park in certain controlled municipal parking spaces without charge and/or compliance with certain time limits. The exemption applies to automobiles, trucks, motorcycles or other motor-driven form of transport not in excess of 6,000 pounds gross weight, and displaying such special licenses issued by any State in the United States (See Attachment No. 2).

DISCUSSION:

As stated above the Council is being asked to consider whether it should exempt vehicles belonging to certain classifications of veterans from certain municipal parking regulations and if so, what exemptions should be adopted. The following discussion is formatted to pose questions for City Council discussion and to provide direction on the related issues.

1. Should the City Council adopt exemptions from the City's parking regulations for certain veteran groups?

YES, continue to question No. 2.

NO, conclude discussion.

2. What exemptions from the municipal parking regulations does the City Council want to adopt?

As stated above, the City of Fresno exempts certain motor vehicle from certain controlled municipal parking space without charge and/or certain time limits. These controlled municipal parking spaces include parking spaces in a city-owned lot or a parking space in a time restricted zone of one hour or more, or a metered space.

In addition to any parking fee exemptions, the City Council could adopt exemptions similar to some of those in VC Section 22511.5 which allow disabled persons, including disabled veterans, and displaying a special license plate or placard to park:

- (A) On a street on which preferential parking privileges have been placed.
- (B) In any time-limited parking zone that is restricted as to length of time parking is permitted as indicated by a sign erected pursuant to local regulations.

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If the City Council wants to adopt exemptions similar to those listed above for disabled persons, staff would recommend that language specifically stating that the exemptions do not apply to compliance with height restriction, longer term parking, street sweeping, no parking restrictions, etc.

Staff also recommends that any exemptions the City Council adopts apply only to automobiles, trucks, motorcycles or other motor-driven form of transport not in excess of 6,000 pounds gross weight, displaying such special licenses issued by any State in the United States.

3. Which special classifications of veterans of the United States Military Services do the City Council want to include in the exemptions?

The City of Fresno exemption applies to the following classifications of veterans: Pearl Harbor Survivor, Legion of Valor, Former American Prisoner of War, Congressional Medal of Honor and Purple Heart Recipient.

The City Council should provide staff with direction as to whether all or some of these groups be included in any exemptions.

If the City Council votes to adopt such exemptions, various sections of the Culver City Municipal Code (CCMC) will have to be amended. Staff will return to the Council at a later date with a recommended ordinance amending the CCMC provisions to implement the City Council's direction.

Survey of Cities

As is typically done for proposals of this nature, Public Works Department staff attempted to determine if other jurisdictions in California have adopted similar exemptions. On August 12th and again on August 23rd, the Department posted a survey request for this issue on the League of California Cities' "ListServes", which distribute the survey request to 1070 individuals that participate. As a result of this survey request, only the City of Fresno responded that they had such exemptions, and six other cities responded that they did not have such exemptions.

FISCAL ANALYSIS:

Staff is not able to estimate the potential revenue lost to the City if the exemptions are adopted. The lost of revenue would be dependent on the number of special license plates issued and the parking of such licensed vehicle in the City. While the fact that some revenue loses would occur, the extent to which these loses may be

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offset by increased business activity generated by the attraction of newer visitors to the City because of such exemptions, similarly can not be estimated.

While it will not yield specific cost information, staff has submitted a request to the California Department of Motor Vehicles (DMV) requesting information on the numbers of these types of special license plate issued in the state, Los Angeles County and the City. This information would provide some insight into what percentage of the total number of such vehicles are of the general population and perhaps an idea of the magnitude of the potential impact to parking revenues.. As of the writing of this report, the DMV has contacted staff and advised us that they would attempt to provide information in the near future.

ATTACHMENTS:

1. Excerpt, State of California Vehicle Code Sections 5101.3 Pearl Harbor Survivor, 5101.4 Legion of Valor, 5101.5 Former American Prisoner of War, 5101.6 Congressional Medal of Honor and 5101.8 Purple Heart Recipient.
2. City of Fresno, California, Municipal Code Article 24 Specified Veterans' Permit Parking.

MOTIONS:

That the City Council:

1. (a) Direct staff to prepare an amendment to the Municipal Code to adopt exemptions for certain classification of veterans from parking regulations, and provide specific direction to staff regarding those exemptions;

OR

- (b) Take no action at this time.
2. Provide direction to staff regarding what specific exemptions from parking regulations should be incorporated into the Municipal Code amendment:
 - (a) Exempts only automobiles, trucks, motorcycles or other motor-driven form of transport not in excess of 6.000 pounds gross weight, displaying special licenses issued by any State in the United States, from having to pay fees for parking in city-owned lot or at a metered parking space.

And/Or,

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(b) Allow any such vehicle displaying a special license plate to park for unlimited periods in any of the following zones, subject to limitations in (c):

(i) On a street on which preferential parking privileges have been placed.

(ii) Any time-limited parking zone that is restricted as to length of time parking is permitted as indicated by a sign erected pursuant to local regulations.

(c) Except that the exemptions do not apply to compliance with height restriction, longer term parking, street sweeping, no parking restrictions, etc.

3. Provide direction to staff regarding what specific classifications of veterans of the United States Military Services are to be included in the exemption:

(a) 5101.3 Pearl Harbor Survivor;

(b) 5101.4 Legion of Valor;

(c) 5101.5 Former American Prisoner of War;

(d) 5101.6 Congressional Medal of Honor, And/Or,

(e) 5101.8 Purple Heart Recipient.