

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 11/10/2008		Item Number: <u>A-8</u>	
AGENDA ITEM: Adoption of a Resolution to Increase the Civil Penalties and Surcharges for Parking Citations			
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 (11/05/08); Advertisement in the Culver City Observer (10/30/2008)			
Department Approval: Chief Don Pedersen (10/16/2008)		City Attorney Approval: Carol Schwab (by H. Baker) (11/05/08)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (11/03/08)		City Manager Approval: Jerry Fulwood (11/05/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a Resolution increasing the civil penalties and surcharges for parking citations. <u>BACKGROUND:</u> 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 majority of parking penalties were last raised in 1993 when parking citations were decriminalized through State mandate. In 2005, all city fees were reviewed and in most cases increased. It was determined by the Police Department that the civil penalties for parking citations were low in contrast to surrounding agencies; however, no action was taken at that time to increase the fines for parking violations. Additionally, in November 2005 the parking violation bail schedule was amended to establish penalties for newly added Culver City Municipal Code sections (specifically, those relating to oversized, non-motorized and commercial vehicles), but no increases were made to the existing parking fines. In July 2008, the Police Department again compared the civil penalties for parking citations to the surrounding cities of Santa Monica, Los Angeles, Beverly Hills, and West Hollywood. Within the past two years, those cities have increased the penalties for most of their parking violations. Attachment A compares several of the most commonly issued citations by those cities. In addition, because of increased commercial activity within the City, numerous permit and specified time zones have been established and radio calls for service are steadily increasing as shown.			

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<u>Year</u>	<u>Radio Calls</u>
2005	1,830
2006	2,012
2007	2,016
2008	2,265 (Projected)

DISCUSSION:

Parking complaints have been made directly to Police Department staff, Engineering, Code Enforcement and directly to City Council regarding flagrant disregard of posted signs and meters regulating parking. Additionally, the Fire Department has had to cite repeated violators for parking in marked fire access lanes when efforts at voluntary compliance have failed. Although citations are issued, it is apparent that the present penalties are not optimally effective in reducing violations or in educating the motorists as part of the parking management program.

The cost of enforcement has increased since 1993 due to rising fuel prices, personnel costs and citation administration costs. There has been no adjustment in parking revenue to reflect the increase in those costs.

In order for parking penalty amounts to be more consistent with the surrounding areas, to better act as a deterrent to illegal parking and to increase the City's cost recovery, Staff believes that it is in the City's best interest to restructure the parking fine schedule. The proposed increased fines are reflected on the exhibit to the proposed Resolution (Attachment C).

Currently, late charges equivalent to the original penalty amount are applied 21-days (or more) after issuance of citation and no change is recommended.

Staff also recommends that the \$3.00 administrative fee charged by the Department of Motor Vehicles to place a vehicle registration on hold for non-payment of a violation be the responsibility of the violator and increase the violator's fine accordingly. This would encourage violators to pay their citations prior to an increase of fees at the time of a registration hold.

FISCAL ANALYSIS:

In Fiscal Year 2007/2008, there were 30,342 parking citations issued. Assuming the proposed fines had been implemented, revenue would have increased by \$205,000 or 15%. (Attachment B) Citation fines include a State Courthouse fee, currently \$5.00 per citation since 1993.

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Additional cost to the Police Department would be a one-time five-year purchase of handwritten parking citations for approximately \$3,500. There are sufficient funds in the Police Department's adopted fiscal 2008-09 budget to accommodate this purchase.

ATTACHMENTS:

- A Parking Fine Comparison 2008
- B Fiscal Year 2007/2008 Parking Citations – Proposal Comparison
- C Proposed Resolution

MOTION:

That the City Council:

Adopt a Resolution increasing the civil penalties and surcharges for parking citations.