

Agenda Report

January 23, 2017

TO: Honorable Mayor and City Council

THROUGH: Economic Development and Technology Committee (January 17, 2017)

FROM: Department of Transportation

SUBJECT: PROPOSED MODIFICATIONS TO ARTICLE 10 (VEHICLES AND TRAFFIC) OF THE PASADENA MUNICIPAL CODE TO PROVIDE LANGUAGE CLARIFICATION, MODIFICATIONS TO CONFORM TO ENABLING STATUTES AND ADMINISTRATIVE UPDATES

RECOMMENDATION:

It is recommended that the City Council

- 1 Find that the following proposed actions are exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b) (3), and
- 2 Direct the City Attorney to draft an ordinance amending Chapter 10 of the Pasadena Municipal Code to provide for the following
 - a Language to clarify the utilization of modernized parking meter technology, including pay-and-display, pay-by-plate and mobile payment technologies,
 - b Language to clarify the "once per day per block" regulation and define a "block" as it relates to parking violations,
 - c Language to clarify preferential parking district guest pass eligibility,
 - d Language to allow for 24-hour commercial loading zones,
 - e Language to indicate that signage for time limits has precedence over curb markings,
 - f Language to allow for the staggering of permit expiration dates in an effort to decrease wait times for permit applicants,
 - g Language to allow for the sale of temporary daytime permits,
 - h Language to allow vehicles with expired registration tags in excess of 6 months to be impounded, per California Vehicle Code § 22651(0),

- i Grant authority to the Director of Transportation to designate certain streets or portions of streets for the exclusive or nonexclusive parking privilege of motor vehicles participating in a car share vehicle program or ridesharing program in accordance with California Vehicle Code § 22507.1, and
- j Administrative updates to correct misspellings, modify references to various department heads to "Director" and change director titles to align with current practices

BACKGROUND:

A city's authority to regulate on-street parking and to provide enforcement is enabled by a series of sections in the California Vehicle Code (CVC). The CVC is subject to constant updating by the legislature and, as such, changes periodically. Accordingly, Article 10 of the Pasadena Municipal Code (PMC), which contains the sections for parking regulation, requires updating to be consistent with the enabling statutes so that fees charged for parking citations are not struck down on appeal.

Independent of the above, administrative changes in City practice that result from modified reporting relationships and formation of new administrative divisions mean that the language in Article 10 of the PMC has to be updated periodically to remove outdated references and practices.

Recent changes in parking technology necessitated an in-depth review of Article 10 to ensure that definitions and practices in the PMC are consistent with the investments made in meter and sensor technology. From that review, a number of administrative changes were identified, some of which are simple updates, but others of which are more substantive additions.

The changes to the PMC being recommended are the following:

- *Updates* Changes to reflect current administrative practices by aligning references to the "Director" and other titles to reference the Director of Transportation rather than the Director of Public Works and Transportation (a no longer existent title) or the Director of Finance (predates consolidation of parking citation processing to the Transportation Department). Other updates include City Council for Board of Directors and realignment of activities assigned to the Police Chief (where such activities are now in the Transportation Department). Also, misspellings were identified that needed to be changed.
- *Parking Meters* A recent parking citation appeal resulted in the dismissal of a citation based on outdated language from the PMC that defines a parking meter. The language in the PMC needs to be updated to adequately identify modern technologies for timekeeping and payment either currently in use or expected to be in use in the City.

- *Carshare Parking* California Vehicle Code § 22507.1 was modified to allow municipalities to designate spaces for carshare vehicles on public streets. The City has a current pilot program with Zipcar and adopting such an ordinance would position the City to be prepared for future carshare provider agreements.
- *Loading Zones* Changes to the PMC language are needed to account for 24-hour loading zones and to clarify that posted signage supersedes painted curb markings.
- *Clarification of "Once per Day per Block"* Enforcement of time-limited parking relies on the PMC definition that states a vehicle may only be parked once per day per block. Language is needed to clarify the practice and to adequately define a block for enforcement purposes.
- *Temporary Daytime Permits* The City Council authorized the issuance of temporary daytime permits through the approval of the Fee Schedule in 2014. The PMC needs to be updated to provide for this permit type.
- *Staggering of Permit Expiration Dates* Currently the PMC provides for annual permits to be issued in December and to be valid only from January 1 to December 31 of a given year. The volume of annual permits has grown since this statute was codified and the time to process/deliver the permits is subjecting permit holders to extraordinarily long waiting times. A change to allow for issuance of permits that expire 12 months from issue date would reduce the wait times and speed processing of the permit applications.

The proposed changes are summarized in Attachment A by PMC section. The text of the proposed changes can be found in the Attachments B, C and D which are organized by type of change.

COUNCIL POLICY CONSIDERATION:

The proposed amendments to Pasadena Municipal Code Section 10 are consistent with the City Council adopted Core Value of accountability.

ENVIRONMENTAL ANALYSIS:

This action is exempt from CEQA per section 15061 (b) (3), the General Rule. The General Rule can be applied when it can be seen with certainty that the activity will not have a significant effect on the environment.

FISCAL IMPACT:

There is no fiscal impact as a result of this action and it will not have any indirect or support cost requirements as the activities required to implement the PMC changes are already incorporated in the operating budgets of the affected departments. The anticipated impact to other operational programs or capital projects as a result of this action will be minimal as some of the changes could affect the adjudication of a nominal number of parking citations.

Respectfully submitted,




FREDERICK C DOCK
Director
Department of Transportation

Prepared by



JON HAMBLEN
Parking Manager
Department of Transportation

Approved by



STEVE MERMELL
City Manager

Attachments (4)

- Attachment A – Summary Table of Proposed PMC Changes
- Attachment B – Updates to reflect changes in department structure
- Attachment C – Modifications to reflect change in definition of parking meters
- Attachment D – Modifications to reflect current practice and changes in state statutes