

MEMORANDUM

To: Mike Nilsson
From: Bonnie Nelson and Valerie Taylor
Date: January 4, 2010
Subject: Downtown Transportation Fund Planning and Implementation

Introduction

The purpose of this memorandum is to outline how Glendale might create a new Downtown Transportation Fund, separate from the existing Parking Fund, to support transportation-related initiatives in the downtown. This memo builds on the previous memo of September 2008 weighing options for creating a new Downtown Transportation Fund or building on the existing Parking Fund.

The memorandum reviews types of funds and ordinances, sources of funds, and delineates the variety of mobility-related improvement projects and programs that would be eligible expenditures for this Fund, including set-asides for transit and a reserve fund. Sample ordinances illustrating these principles are included in the Appendix.

Key Questions for the Executive Committee

1. Does the City of Glendale want to establish a Downtown Transportation Fund to manage and allocate meter and enforcement revenues from new meters in the downtown area?
2. Should the fund also be designed to manage any other potential new revenue sources such as in lieu fee, congestion mitigation fees, etc?
3. Should any expenditure other than maintenance and replacement of meters be allocated by a fixed dollar or fixed percentage allocation, or should the ordinance simply establish allowable expenses subject to an annual budget effort?
4. Should the ordinance also establish authority to increase or change meter rates, establish priorities for spending, etc?
5. Should the ordinance make any other changes to the parking code?
6. What is the process for bringing this to Council?

Downtown Transportation Fund

The City has expressed interest in establishing a Downtown Transportation Fund to manage funds collected from the meters on Brand Boulevard, enforcement revenue from those meters and potentially other new sources of revenue generated downtown, including the potential of a future in lieu fee or other revenue source. The new Fund would leave the current Parking Fund as is.

While the purpose of the existing parking fund is to maintain and increase the supply of parking, the Downtown Parking Fund would have a larger mission - to mitigate and improve traffic and parking congestion in the downtown area through a variety of means. There are a number of good reasons to establish a new fund. These include:

- Brand Boulevard merchants were enthusiastic about implementing meters downtown with the understanding that funds collected from their meters would be spent on a variety of mobility projects in the downtown area. The existing Parking Fund is a citywide fund that does not require a connection to Downtown.
- A Downtown Transportation fund could be spent on mobility projects which would manage parking supply and demand and reduce the need for costly new parking.
- New funding sources are being considered that do not necessarily have a linkage to parking, but rather focus on reducing congestion and increasing overall mobility including transit and pedestrian projects.

Creating the Downtown Transportation Fund

In order to establish a new fund, the City of Glendale could pass an ordinance amending its municipal code. The ordinance should specify that the new fund would apply to mobility related improvement programs and projects in the downtown areas. The following recommendations will assist in the development of this ordinance.

- Maintain the Parking Fund and continue to fund parking related improvement projects.
- Establish a new Downtown Transportation Fund that is dedicated to funding mobility related improvements in the downtown area.
- Agree on the revenue sources to be deposited in this Fund.
- Establish guidelines for allowable expenditure categories and the percentage or dollar contribution to each.
- Educate the development community on the purpose of this Fund and how it will benefit and support downtown businesses.
- Determine the format and structure for annual reporting constructed to illustrate how money in the fund is spent.

The ordinance establishing the fund should state that that new meter revenues raised within the downtown district be spent to benefit the district.

Regardless of the ultimate organizational structure implemented, a focused effort, with dedicated and well-trained staff, will be needed to refine and implement the management of the Fund and the ongoing operation of the system. This would include responsibility for installing and operating the parking meter system, monitoring parking occupancy and proposing rate adjustments, overseeing collection and expenditure parking revenues, and in general, operating the downtown parking system in a customer-friendly way.

Because the Downtown Transportation Fund would be a new fund, the ordinance could be written to include a wider variety of revenue sources than those currently included in the Parking Fund. To date, the only new revenue source is the meters on Brand Boulevard and associated enforcement revenue. The meters are expected to generate about \$500,000 in revenue per year. Increased enforcement of these meters will generate additional revenue.

For the initial year of Brand Boulevard meters, the revenues have been placed in the Parking Fund. The revenue from the meters was used to pay for the capital costs of the meters themselves. Any expenditure of funds from these meters in future years should account for the fact that the meters need to be maintained and replaced over time.

While the current Parking Fund is limited to receiving revenue from parking sources, the Downtown Transportation Fund could be designed to manage revenue from other sources as they are implemented. These include:

- New meters in other locations within the downtown area.
- In-lieu parking fees as an option for developers to pay in lieu of providing the number of parking spaces required by the City's zoning ordinance
- Future Proposed Congestion Mitigation Fee (fees only for regional projects) – This is a proposed fee currently being studied by the Los Angeles County Metropolitan Transportation Authority (Metro). This is a proposed countywide fee that would be implemented locally. When adopted by Metro, it would be a single, countywide minimum fee applied across all land uses. Glendale could adopt a fee amount higher than the minimum fee and/or could pool funds with other jurisdictions for sub-regional projects. The funds generated by the fee must be spent on local projects that have *regional significance* and could be multi-modal in nature.
- Business Improvement District – The City of Glendale currently has two successful business improvement districts (BIDs), in the Montrose Shopping Park and the Adams Square area. There have been some preliminary discussions at the staff level of creating a downtown BID which would be focused on improving security and potentially improving mobility. Funds raised by the BID could also guarantee all BID membership in a Transportation Management Organization (TMO) that focuses on assisting employers with providing alternative commutes for their employees and reducing their auto impact. Funds from the BID dedicated to transportation purposes could logically be managed as part of a newly created Downtown Transportation Fund.

See the Appendix for ordinances creating and managing parking districts.

Legal Basis for Setting Parking Rates

The California Vehicle Code (CVC Sec. 200258) allows local jurisdictions to set parking meter prices at fair market rates necessary to achieve 85% occupancy (see Appendix, Redwood City Ordinance). California case law authorizes local jurisdictions to enact parking meter ordinances with fair market rates that “may...justify a fee system intended and calculated to hasten the departure of parked vehicles in congested areas, as well as to defray the cost of installation and supervision.”¹ California case law also recognizes that parking meter ordinances are for the purpose of regulating and mitigating traffic and parking congestion in public streets, and not a tax for revenue purposes.²

¹ DeAryan v. City of San Diego, 75 CA2d pp292, 296, 1946.

² Ibid., p293. For more information, on California Vehicle Code statutes and case law that provide the legal basis for charging market rate parking prices and creating Parking Benefit Districts see Appendix, Redwood City Ordinance.

Eligible Expenditures

All revenues from this fund will be used for downtown mobility improvements. Establishing this new fund is not intended to reduce revenue in the current parking fund, but rather to serve as a way to manage new revenue for a broader and more geographically localized purpose. Revenue from a new Downtown Transportation Fund would be used to pay for the basics of the system – meter purchasing, installation, maintenance and enforcement – and also to support a broad array of mobility projects in the downtown area, including but not limited to parking, reducing congestion, increasing public transit service and usage downtown, and improving the pedestrian realm.

The ordinance establishing a new Downtown Transportation Fund should define eligible categories of expenditure in reasonably broad terms to give the City guidance and flexibility in using the funds. As with the current Parking Fund, it is proposed that revenue could be used for both capital investments and ongoing operations. Ideally, revenues from a newly created Downtown Transportation Fund would be leveraged to bring in Federal or State dollars to further increase the revenue potential for downtown Glendale.

Five broadly defined eligible categories for the City to consider include:

Transit Services/Enhancements – It can be reasonably argued that improved transit falls well within the categories of allowable expenditures for funds from parking meters, in that it reduces traffic congestion. While we are unable to find examples of municipal ordinances with specific set-asides for transit, there is no legal obstruction to a municipality writing an ordinance that does so. San Francisco meter revenue, for example, is divided between the General Fund and the operating fund for the transit agency. Glendale can include ordinance language determining a specific annual amount or a percentage of annual Downtown Parking District meter revenue for transit services. Including transit as a specific expenditure for the funds would provide a known amount of income to the transit system, giving the city a number against which they can budget and can seek matching funds from Federal and State sources. Other transit-related expenditures such as improved information and travel training would also be included in this category.

Pedestrian and Streetscape Improvements – This category would consist of investments in streets and sidewalks, especially to improve the pedestrian environment and the overall appearance, identity, and image of downtown Glendale and other locations as civic and cultural destinations for residents, businesses and visitors. Key amenities could include street lighting for pedestrians, landscaping, benches, trash receptacles, and regular cleaning of public spaces. This has been demonstrated successfully in Pasadena where revenues from meters in Old Pasadena have been used to greatly enhance the streetscape, spurring an economic renaissance of that area.

Bicycle Projects – This category could include funding to update the bicycle plan, as well as funding for infrastructure improvements such as bicycle lanes, secure parking facilities (racks, lockers, etc.) and programs to help encourage more people to bicycle more often, and feel more safe doing so.

Transportation Demand Management (TDM) – This category could include a variety of TDM strategies, such as high-touch marketing and personalized training for use of transit and bicycle facilities, reduced cost transit passes for area employees, subsidies to support the introduction of carshare and bikeshare services, carpool and vanpool programs, a TDM coordinator, etc.

Parking - Parking facilities should be included as an eligible expense, especially if these funds could be used to leverage other resources on a large scale or significant project to add parking in the downtown.

Additional Considerations

In addition to selecting eligible categories of expenditures, the City will need to consider several other factors discussed below.

- “Net Revenues” – The ordinance should be written to take the cost of operating, maintaining and depreciating the meters for replacement as an “off the top expense”; ensuring that the revenue needed to maintain and replace the system is in place before making other allocations.
- “Set Asides” – As mentioned above in the transit expenditure section, it may be valuable to consider a “set aside” for special projects of significance or projects that are high profile and warrant special attention. For example, establishing a downtown shuttle may be a high priority project, and may receive a set aside of a fixed amount of funding either indefinitely or over a period of time for start up costs and initial operating funding.
- Fixed Allocation for each Category – Regardless of the number of categories, a key consideration is whether there should be a specific percentage or fixed amount devoted for each category of expenditure – for example, 25% of net funding to transit, 25% to pedestrian and bicycle projects, 25% to future parking needs and 25% to improved enforcement or whether there should be total flexibility in how funds are allocated on an annual basis.
- General Fund Allocation – Funds may be returned to the General Fund either as an allowable expense or on a fixed allocation, depending on the ordinance language.
- Reserve Fund - It would be prudent to establish a small reserve fund in the event a project or program experiences a funding shortfall and needs additional funding.
- Administrative Accounting – As with the existing Parking Fund, there should be a requirement to annually track and report expenditures. Guidelines should be established to ensure the “right level” of detail is recorded to ensure meaningful reporting.
- Budgeting/Prioritizing Process – Unless the funds are expended by formula, there will need to be a budgeting/prioritizing process with a regular approval process that determines how funds will be spent during a specific budget period. It may be possible to allocate funds for more than one budget period. Ideally, this process would coincide with rate review/adjustments.

Appendix: Example Parking Ordinances

City of Ventura, CA

Notes:

1. The fund clearly establishes that rates will be set at a level required to maintain a 15% vacancy rate. (see page 7 E)
2. By adjusting meter rates, they eliminate time limits (page 7F)
3. A Downtown Parking Advisory committee is established with specific and limited focus. (page 9 Sec. 2.455.030)
4. The purpose of the fund to improve transportation is clearly established (page 8 Sec. 4.400.020)
5. Broad multimodal uses are allowed (page 9 Sec. 4.400.020)
6. Downtown residential preferential parking is established (page 10 H)
7. Allows for future valet parking to be established by the City (page 12 Sec. 16.220.060)

ORDINANCE NO. 2009-____ (Adopted January 12, 2009)

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA AMENDING CHAPTERS 2.410, 2.455, 4.400, 16.215, 16.220 AND 16.225 OF THE SAN BUENAVENTURA MUNICIPAL CODE FOR THE PURPOSES OF REGULATING PUBLIC PARKING IN THE DOWNTOWN AND CREATING A DOWNTOWN PARKING DISTRICT AND A DOWNTOWN PARKING ADVISORY COMMITTEE

The Council of the City of San Buenaventura does ordain as follows:

Section 1. The City Council finds and determines as follows:

- A. The City provides vehicular parking in the downtown area within parking structures, upon surface parking lots, and upon public streets; and
- B. The City has conducted a substantive review of current parking practices and literature to determine the most effective ways of managing parking supply and demand; and
- C. The City has conducted public meetings about parking supply, parking demand and parking management as a part of, and subsequent to, the development and adoption of the Downtown Specific Plan; and
- D. Based upon that review and subsequent public meetings the City Council adopted a Downtown Parking Management Program as a part of the Downtown Specific Plan that establishes a program of managing on-street and off-street parking to achieve a 15% vacancy rate through various programs and pricing outlined in the adopted Downtown Parking Management Program; and
- E. A vacancy rate of approximately 15% is necessary and desirable to facilitate utilization of parking resources by as many different people as possible; and
- F. Using metered parking to achieve a vacancy rate of 15% eliminates the need for time restrictions on those metered parking spaces; and
- G. The existing parking permit and parking meter ordinances require modification in order to meet the changing parking demands; and
- H. California Vehicle Code section 22508 authorizes cities to establish parking meter zones and to fix the rates for such zones; and
- I. The City Council has determined that a parking meter system is justified to defray the cost of installation, operation, and control, as well as the costs of other parking management activities; and
- J. This Chapter is for the dual purposes of regulating traffic and the parking of vehicles and collecting fair and reasonable charges for parking services; and
- K. Revenues from parking meters may be used not only in defraying the expenses of installation, operation, and control of such parking spaces and parking meters, but also those incurred in the control of traffic and enforcement of traffic regulations; and
- L. Revenues from parking meters may be used to fund alternative transportation programs, projects and enhancements that reduce the demand for, or increase supply of parking resources in the parking district which receipts are generated; and
- M. Nothing in this ordinance shall be deemed to affect any existing parking district.

Section 2. Section 2.410.120 is amended to read as follows:

Sec. 2.410.120. Commissions. Boards and Committees Established.

The following boards, commissions and committees are established:

- A. Planning Commission consisting of seven members with qualifications, duties and powers as specified in Chapter 2.415.
- B. Design Review Committee consisting of five members with qualifications, duties and powers as specified in Chapter 2.420.
- C: Parks and Recreation Commission consisting of seven members with qualifications, duties and powers as specified in Chapter 2.425.
- D. Historic Preservation Committee consisting of five members with qualifications, duties and powers as specified in Chapter 2.430.
- E. Cultural Affairs Commission consisting of seven members with qualifications, duties and powers as specified in Chapter 2.435.
- F. Library Advisory Commission consisting of five members with qualifications, duties and powers as specified in Chapter 2.440.G. Public Art Commission consisting of seven members with qualifications, duties and powers as specified in Chapter 2.445.
- H. Tree Advisory Committee consisting of five members with qualifications, duties and powers as specified in Chapter 2.450.

Section 3. Chapter 2.455 is added to read as follows:

Chapter 2.455 Downtown Parking Advisory Committee

Sec. 2.455.010. Administration.

The director of public works, or designee, shall serve as the committee secretary and custodian of its records but shall have no vote.

Sec. 2.455.020. Qualifications for Service.

- A. One member shall be a City resident whose principal address is within the Downtown Parking District Area.
- B. Two members shall be business owners, operators or managers whose business is within the Downtown Parking District Area.
- C. Two members shall be the owners of commercial property situated within the Downtown Parking District Area.
- D. One member shall be a City resident of the recommended for appointment by a downtown organization that has been identified by the City Council.
- E. One member shall be a City resident appointed to represent parking users in general.

Sec. 2.455.030 Duties.

The downtown parking advisory committee shall have the power, and it shall be its duty, to:

- 1. Consider and make recommendations on issues or questions relating to downtown parking.
- 2. Assist, advise, and make recommendations actions to the City Council, Planning Commission, and staff, upon request of those bodies and persons.

3. Advise on parking management strategies and programs in the Downtown Parking District area.

4. Review and make advisory recommendations regarding management, maintenance and operations of the Downtown Parking District, including such matters as maintenance, operating and capital budgets, hours of operation, parking pricing policies, valet programs, and employee commuter parking policies.

Section 4. Chapter 4.400 is added to read as follows:

Chapter 4.400 Downtown Parking District

Sec. 4.400.010. Establishment of District and of District Boundaries.

A Downtown Parking District is hereby established. The boundaries of the district shall be the same as the Downtown Specific Plan Boundary as approved by the City Council in March 2007, as it may be amended from time to time.

Sec. 4.400.020. Purpose.

The Downtown Parking District is established to manage public parking supply and demand within the district boundaries as well as improve transportation and parking related facilities and programs.

Sec. 4.400.020. Use of Revenue.

All revenues collected from parking pay stations, meters, leases, and permits, in the Downtown Parking District shall be placed in a special fund, which fund shall be used exclusively for activities benefiting the parking district. The specific authorized use of revenues shall be as follows:

1. For purchasing, leasing, installing, repairing, maintaining, operating, removing, regulating and policing of pay stations and/or parking meters in the parking district and for the payment of any and all expenses relating thereto.
2. For purchasing, leasing, acquiring, improving, operating and maintaining on- or off-street parking facilities.
3. For installation and maintenance of alternative mode programs, landscaping, pedestrian linkages, sidewalk cleaning, street, way finding systems, and traffic-control devices and signals.
4. For the painting and marking of streets and curbs required for the direction of traffic and parking of motor vehicles,
5. For proper security within the district.
6. For the proper regulation, control, enforcement and inspection of parking and traffic upon the public streets and off-street parking facilities.
7. To be pledged as security for the payment of principal of and interest on financing mechanisms used by the city to meet any of the purposes authorized by this section.
8. For transportation and parking planning, marketing and education programs related to the Downtown Parking District.
9. For construction and maintenance of public restrooms that enhance parking facilities.
10. Revenues from residential parking permits may, in addition to the foregoing, be used for sidewalk, landscaping and other transportation, pedestrian or bicycle enhancements on streets where the residential permit parking is provided.

Section 5. Section 16.215.030 is repealed and reenacted in its entirety to read as follows:

Sec. 16.215.030 Parking prohibited during certain hours on certain streets.

- A. Signs designating hours. When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified by sign on any day except Sundays and public holidays upon any of the streets so posted.
- B. Twenty-four-minute parking. Green curb markings shall mean no standing or parking for a period of time longer than 24 minutes at any time during certain hours on any day as posted. When authorized signs, pay stations, parking meters or curb markings have been determined by the city traffic engineer, with the approval of the city manager, to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle adjacent to any such legible curb marking or sign or parking meter in violation thereof.
- C. Forty-minute parking. When authorized signs, parking meters or curb markings have been determined by the city traffic engineer, with the approval of the city manager, to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle during certain hours of any day as posted, for a period of time longer than 40 minutes.
- D. One-hour parking. When authorized signs, pay stations, parking meters or curb markings have been determined by the city traffic engineer, with the approval of the city manager, to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle during certain hours of any day as posted for a period of time longer than one hour.
- E. Two-hour parking. When authorized signs, pay stations, parking meters or curb markings have been determined by the city traffic engineer, with the approval of the city manager, to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle between the hours posted of any day for a period of time longer than two hours.
- F. One-hour or two-hour parking in certain school neighborhoods. When authorized signs, parking meters or curb markings have been determined by the city traffic engineer, with the approval of the city manager, to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle on any portion of a local street that is within a one-quarter mile radius of a high school or college for a period of time longer than one hour between the hours of 8:00 a.m. and 3:00 p.m. of any day that the nearby high school or college is holding classes. Notwithstanding the parking restrictions of this section, residents on those streets where a parking restriction is posted contiguous to their residence pursuant to this section may receive a preferential parking permit. Permits may be obtained at City Hall by completing an application. The required application shall include, at minimum, a valid California Department of Motor Vehicles registration showing the address of the registered owner as meeting the requirements of this section. No more than three permits will be issued per parcel. Each permit will require a separate registered vehicle to which it is assigned. A fee will be charged and the permit will remain valid for two years.
- G. Special event or construction permits. The city traffic engineer is authorized to issue special permits to reserve parking spaces for special events or activities related to construction or maintenance. A daily fee will be charged to the permittee.
- H. Downtown residential parking permits. Notwithstanding the parking restrictions of this section and when determined by the city traffic engineer, residents within the Downtown Parking District on those streets where a one-hour, two-hour, or paid parking restriction is posted may receive a preferential residential parking permit. Permit stickers may be obtained at City Hall by completing an application. Residential permits will be issued based upon on-street utilization, offstreet utilization, impact from non-residential uses, impact to neighborhood commercial and

retail activity, existing land uses, nonconforming uses and other essential factors determined by the city traffic engineer. The required application shall include, at minimum, a valid California Department of Motor Vehicles registration showing the address of the registered owner as meeting the requirements of this section. No more than one sticker per residential unit will be issued. Each sticker will require a separate registered vehicle to which it is assigned. A fee will be charged and the permit will remain valid for two years.

Section 6. Section 16.220.010 is repealed and reenacted in its entirety to read as follows:

Sec. 16.220.010. Generally.

A. Authority to establish loading zones.

1. The city traffic engineer is hereby authorized to determine and to mark loading zones and passenger loading zones as follows:

(a) At any place in the central traffic district or any business district.

(b) Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.

2. In no event shall more than one-half of the total curb length in any block be reserved for loading zone purposes.

3. Loading zones shall be indicated by yellow paint upon the top of all curbs within such zones and with markings indicating the time and days in effect.

4. Passenger loading zones shall be indicated by white paint upon the top of all curbs in said zones and with markings indicating the time and days in effect.

B. Curb markings to indicate no-stopping and parking regulations.

1. The city traffic engineer, with the approval of the city manager, is hereby authorized, subject to the provisions and limitations of this chapter, to place, and when required herein, shall place, the following curb markings to indicate parking and standing regulations, and said curb markings shall have the meanings as herein set forth:

(a) Red zones shall mean no stopping, standing or parking at any time except as permitted by the Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.

(b) Yellow zones shall mean no stopping, standing or parking at certain posted hours of any day except Sundays and holidays for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three minutes nor the loading or unloading of materials more than 20 minutes. Loading zones are in effect only for posted hours as determined by the city traffic engineer, with the approval of the city manager.

(c) White zones shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers, or for the purpose of depositing mail in an adjacent mailbox, which shall not exceed three minutes. White zones are in effect only for posted hours as determined by the city traffic engineer, with the approval of the city manager of any day except Sundays and holidays and except as follows:

(1) When such zone is in front of a hotel, the restrictions shall apply at all times.

(2) When such zone is in front of a theater, the restrictions shall apply at all times except when such theater is closed.

(d) Blue zones shall mean no stopping, standing, or parking at any time, except for the handicapped, as defined and permitted by the Vehicle Code.

(e) When the city traffic engineer, as authorized under this section, has caused curb markings to be placed, no person shall stop, stand, or park a vehicle adjacent to such legible curb markings in violation of any of the provisions in this section.

C. Effect of permission to load or unload.

1. Permission herein granted to stop or stand a vehicle for purposes of loading or unloading of materials shall apply only to commercial vehicles and shall not extend beyond the time necessary therefore, and in no event for more than 20 minutes.

2. The loading or unloading of materials shall apply only to commercial deliveries, also the delivery or pick-up of express and parcel post packages and United States mail.

3. Permission herein granted to stop or park for purposes of loading or unloading passengers shall include the loading of personal baggage but shall not extend beyond the time necessary therefore and in no event for more than three minutes.

4. Within the total time limits above specified, the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

Section 7. Section 16.220.060 is added to read as follows:

Sec. 16.220.060. Valet Parking

A. The city traffic engineer may permit valet parking stands to use public streets in such places and in such a manner as he or she shall determine and approve. Valet parking may be permitted only when the permittee demonstrates availability and control of sufficient off-street parking to meet projected demand. A fee shall be charged in an amount determined by the City Council.

B. Appropriate signs approved by the city traffic engineer shall identify each valet parking stand. The signs shall be posted during operation hours at each location where they take possession of vehicles. The sign shall identify the name, address and telephone number of the operator, the rate charged and hours of operation. In addition, the permittee shall be responsible for the cost of regulatory signage determined to be necessary by the city traffic engineer.

C. The valet parking operator shall, upon receipt of each motor vehicle accepted for valet parking, give a claim check to the owner. The claim check shall explicitly state the terms and conditions under which the vehicle is being accepted. The valet parking operator shall not disclaim the responsibilities of a bailee.

D. The city traffic engineer, police chief, or fire chief, or their designee, may suspend valet parking operations, without prior notice or hearing, when it may interfere with public safety efforts or programs, street improvement activities, special events, construction activities, cleaning efforts or with the health, welfare or safety of the public.

Section 8. Chapter 16.225 is repealed and reenacted in its entirety to read as follows:

Chapter 16.225 Parking Pay Stations and Parking Meter Zones

Sec. 16.225.010. Generally.

A. Parking pay station and meter zones are those streets or portions of streets established by ordinance of the City Council as zones within which the parking of vehicles may be controlled, regulated, and inspected with the aid of parking pay stations or parking meters.

B. Parking pay stations and meter zones may be established in areas to manage the supply of parking and to make it reasonably available when and where needed. To accomplish this goal, a target on-street occupancy rate of eighty five percent (85%) is hereby established for pay station and parking meter zones.

C. The city traffic engineer shall cause parking pay stations or meters to be installed and maintained in all parking pay station and meter zones. The maximum rate shall be set by the City Council. During a fiscal year, the City Transportation Manager may adjust pay station and meter rates up or down 50 cents per hour in 25-cent increment based on average occupancy rates in order to achieve a target occupancy rate of eighty five percent (85%). Any increase over 50 cents per hour in a fiscal year shall require City Council approval.

Sec. 16.225.020. Manner of installation.

A. Parking pay stations and meters shall be installed upon the curb or sidewalk area adjacent to parking spaces. Each pay station or meter shall be placed in such manner as to show or display that the parking space is or is not legally in use.

B. Each parking pay station or meter shall be able to clearly display, after the operational procedure has been completed, a sign or signal indicating when the lawful parking period will expire for that space.

Sec. 16.225.030. Parking pay stations and meters.

A. Time of operation. The provisions of this ordinance relating to the operation of parking pay stations or parking meters shall be effective for posted hours and days as determined by the city traffic engineer.

B. Operational procedure to be followed. Immediately after occupancy of a paid parking space, the operator of a vehicle shall deposit a coin or paper currency of the United States or use a credit card or other acceptable form of payment in said parking pay station or meter and follow operational procedures in accordance with the instructions posted on the parking pay station or parking meter.

C. Unlawful to park after pay station or meter time has expired. No operator of any vehicle shall permit said vehicle to remain parked in any parking space during any time that the pay station or meter is illegally in use other than such time immediately after the original occupancy as is necessary to operate the pay station or meter to show legal parking.

D. Unlawful to extend time beyond limit. No person shall allow a vehicle to be parked for a period beyond the maximum legal parking time limit that has been established for the parking space.

E. Improper use of pay station or meter. No person shall deposit, attempt to deposit, or cause to be deposited in any parking pay station or meter any defaced or bent coin, or any slug, device or metallic substitute for a coin of the United States, or deface, injure, tamper with, open or willfully break, destroy or attempt in any manner to impair the usefulness of any parking pay station or meter.

F. Deposit of payment in pay station or meter by unauthorized person. No person, other than the owner or operator of a vehicle, shall deposit any acceptable form of payment in any parking meter without the knowledge or consent of said owner or operator of the vehicle using the parking space controlled by said meter or pay station.

G. Parking pay stations, meters and parking meter standards not to be used for certain purposes. No person shall attach anything to or allow a bicycle, news rack or any other chapter or thing to lean against a parking pay station, parking meter or parking meter standard.

H. Special reservation of parking pay station or parking meter spaces. The city traffic engineer is authorized to issue special permits to reserve pay station or parking meter spaces. A pay station space or parking meter space may be reserved for special events or it may be reserved for activities related to construction or maintenance, thereby allowing parking of commercial vehicles for the performance of work . A daily fee will be charged to the permittee.

Sec. 16.225.040. Rule of evidence.

The parking or standing of any motor vehicle in a parking space, at which space the parking meter displays the sign or signal indicating illegal parking, shall constitute a prima facie presumption that the vehicle has been parked or allowed to stand in such space for a period longer than permitted by this ordinance.

Sec. 16.225.050. Use of money deposited in parking pay stations and meters.

All moneys collected from parking pay stations, and meters in this city shall be placed in a special fund, which fund shall be devoted exclusively to purposes within the geographic boundaries of the parking district from which the revenue is collected. Such moneys shall be used for the purposes stated in the parking district establishment ordinance:

Sec. 16.225.060. Application of other chapters.

No section of this chapter shall be construed as permitting any parking in violation of any other provision of this ordinance.

Sec. 16.230.020. Permits for loading or unloading at curb.

A. The police department or city traffic engineer is authorized to issue special permits to permit the loading or unloading of merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.

B. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

C. If the permit is in a parking pay station or parking meter zone, the permittee shall pay an amount at least equal to the lost revenue of the parking spaces.

Section 9. No Effect on Existing Parking Districts.

The City Council does not intend this ordinance to be interpreted to have any effect on existing parking districts within the City.

Section 10. CEQA Findings.

EXEMPTION, FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The City Council finds that the enactment of the parking regulations pursuant to this Ordinance is determined to be exempt under Section 15061 (b)3 of the of Title 14 of the California Code of Regulations (the "State CEQA Guidelines") in that the adoption of these regulations will not result in reasonably foreseeable construction activities or other physical activities, either directly or indirectly. It can therefore be foreseen that the enactment of this ordinance does not have the potential to result in significant effects on the environment.

Redwood City, CA

Notes:

1. Establishes 15% vacancy per block as their goal. (page 16)
2. Allows the parking manager to make annual adjustments to parking costs to maintain 15% vacancy without requiring a vote of the Council up to a prescribed limit. (page 20)
3. Very broad use of funds as determined appropriate by Council (page 21)

ORDINANCE NO. 2287 (Adopted August 22, 2005)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY AMENDING CHAPTER 20, ARTICLE VII OF THE REDWOOD CITY MUNICIPAL CODE BY AMENDING SECTIONS 20.96 THROUGH 20.96.21 IN THEIR ENTIRETY AND DIVISIONS 4, 5 AND 9 IN THEIR ENTIRETY.

RECITALS

- **WHEREAS**, planned new development in Downtown Redwood City is likely to increase traffic and parking demand. (Downtown Mixed Use Retail/Cinema Project Environmental Report, 2000); and
- **WHEREAS**, the City has conducted a substantive review of the literature and the practices of other cities to determine the most effective ways of managing the traffic and parking demand; and
- **WHEREAS**, based on that review the City has determined that the most effective tool for managing on-street parking is a program of pricing the on-street public parking at a rate so as to achieve a fifteen percent (15%) vacancy rate in the parking spaces on each block. (See Shoup, Donald. The High Cost of Free Parking, American Planning Association Planners Press. 2005); and
- **WHEREAS**, underpriced on-street parking causes "cruising," which adds to traffic congestion. Shoup, page 291; and
- **WHEREAS**, a vacancy rate of about 15% is necessary to avoid cruising induced traffic, to facilitate easy ingress and egress, and to offer parking opportunities to as many different people as possible. Shoup, page 297; and
- **WHEREAS**, California Vehicle Code Section 22508 authorizes cities to establish parking meter zones and to fix the rate of fees for such zones; and
- **WHEREAS**, parking meter rate ordinances "may ... justify a fee system intended and calculated to hasten the departure of parked vehicles in congested areas, as well as to defray the cost of installation and supervision." *DeAryan v. City of San Diego*, 75 CA2d 292, 296 (1946); and
- **WHEREAS**, such parking meter rate ordinances are for the purpose of regulating traffic and the parking of vehicles in the public streets, not a tax for revenue purposes. *Id* at 293; and
- **WHEREAS**, receipts from such parking meter rate ordinances "may be used not only in defraying the expenses of installation, operation and control of such parking space and parking meters, but also those incurred in the control of traffic which may affect or be affected by the parking of vehicles in the parking meter zones thus created, including those incurred in connection with painting lines and signs, maintaining mechanical traffic signals and other expenses of regulating traffic and enforcing traffic regulations with respect to all traffic which may affect or be affected by the parking of vehicles in parking meter zones." *Id* at 296; and
- **WHEREAS**, using parking meter rates to achieve a vacancy rate of about 15% negates the necessity for time restrictions on the use of parking spaces; and
- **WHEREAS**, certain formerly unmetered off-street parking facilities must be metered in order to meet the demands of changing patterns of use of Downtown parking; and

- **WHEREAS**, the parking permit program requires modifications in order to meet the demands of changing patterns of use of Downtown parking.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REDWOOD CITY THAT:

- 1. Sections 20.96 through 20.96.21 of Chapter 20, Article VII, Division 1, are hereby amended in their entirety to read as follows:
- **Sec. 20.96. PARKING TIME LIMITED ON CERTAIN DESIGNATED STREETS DURING CERTAIN DESIGNATED PERIODS:** When signs are erected giving notice thereof, parking shall be limited as specified in the table below. Such limitations on parking shall be effective daily except on Sundays and holidays.

Street	Side	Limits	Maximum Parking Period	Applicable Hours
Arch Street	Easterly	Brewster Avenue to a point one hundred twenty-five feet (125') northerly of Brewster Avenue	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Arguello Street	Both	Brewster Avenue to Alden Street	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Arguello Street	Westerly	Alden Street to Hopkins Avenue	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Arguello Street	Westerly	Whipple Avenue to a point one hundred feet (100') southerly of Whipple Avenue	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Birch Street	Both	Broadway to a point one hundred ninety five feet (195') northerly of Broadway	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Brewster Avenue	Both	Warren to Arguello	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Brewster Avenue	Northwesterly	From a point sixty feet (60') northeasterly of northeasterly line of Arch Street to Broadway	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Brewster Avenue	Southeasterly	Broadway to Arch Street	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Broadway	Both	Brewster Avenue to Duane Street	One (1) hour	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Broadway	Southerly	From Douglas Avenue to a point two hundred twenty four feet (224') easterly of Douglas Avenue	One (1) hour	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Cedar Street	Southerly	Main Street to El Camino Real	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Charter Street	Northerly	Hancock to El Camino Real	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Clinton Street	Both	Brewster to Broadway	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.
Clinton Street	Easterly	Seventy five feet (75') northerly of Broadway	Two (2) hours	Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M.

- 2. Division 4 of Chapter 20, Article VII is hereby amended in its entirety to read as follows:

DIVISION 4. PARKING METER ZONES

Sec. 20.115. MANNER OF ESTABLISHING PARKING METER ZONES: Parking meter zones in streets, public rights-of-way, and publicly controlled off-street parking facilities rates and regulations for use therein shall be as established in this Division.

Sec. 20.116. ESTABLISHMENT OF DOWNTOWN METER ZONE: The Downtown Meter Zone is hereby established and is described as follows: That certain area of the City of Redwood City, County of San Mateo, State of California, bounded by the following described line:

Commencing at the point where the centerline of Brewster Avenue intersects with the northeasterly edge of the Veterans Boulevard right-of way, extending along the centerline of Brewster Avenue to the southerly edge of the Broadway right-of-way; extending along the southerly edge of the Broadway right-of-way to the centerline of EI Camino Real; extending along the centerline of the EI Camino Real to the centerline of James Avenue; extending along the centerline of James Avenue to the centerline of the Southern Pacific Railroad; extending along the centerline of the Southern Pacific Railroad to the westerly edge of the Maple Street right-of way; extending along the westerly edge of the Maple Street right-of-way to the centerline of Stambaugh Street; extending along the centerline of Stambaugh Street to the westerly edge of the Walnut Street right-of-way, extending along the westerly edge of the Walnut Street right-of-way to the southerly edge of the Broadway right-of-way; extending along the southerly edge of the Broadway right-of-way to the centerline of Beech Street; extending along the centerline of Beech Street to the northerly edge of the Broadway right-of-way; extending along the northerly edge of the Broadway right-of-way to the centerline of Maple Street; extending along the centerline of Maple Street to the northerly edge of the Veterans Boulevard right-of-way; extending along the northerly edge of the Veterans Boulevard right-of-way to the point of commencement.

Sec. 20.117. ESTABLISHMENT OF DOWNTOWN METER ZONE BASE METER RATES FOR ON-STREET PARKING AREAS: Under the authority of California Vehicle Code section 22508, the City Council hereby establishes the following Base Meter Rates for the following onstreet parking areas within the Downtown Meter Zone:

Street	Side	Limits	Base Meter Rate (Per Hour)	
			Monday through Friday, 10:00am to 6:00pm	Monday through Friday, 6:00pm to 10pm; and Saturday through Sunday, 10:00am until 10:00pm
Allerton Street	Southwesterly	Brewster Avenue to Fuller Street	\$0.25	Free
Allerton Street	Northeasterly	Brewster Avenue to Fuller Street	\$0.25	Free
Allerton Street	Southwesterly	Fuller Street to Bradford Street	\$0.25	Free
Allerton Street	Northeasterly	Fuller Street to Bradford Street	\$0.25	Free
Arch Street	Southwesterly	Brewster Avenue to Broadway	\$0.25	Free
Arch Street	Northeasterly	Brewster Avenue to Broadway	\$0.25	Free
Arguello Street	Southwesterly	Brewster Avenue to Marshall Street	\$0.25	Free
Arguello Street	Northeasterly	Fuller Street to Bradford Street	\$0.25	Free
Arguello Street	Northeasterly	Bradford Street to Marshall Street	\$0.25	Free
Arguello Street	Northeasterly	Marshall Street to Broadway	\$0.50	\$0.75
Bradford Street	Northwesterly	Arguello Street to Warren Street	\$0.25	Free
Bradford Street	Southeasterly	Arguello Street to Warren Street	\$0.25	Free
Bradford Street	Northwesterly	Warren Street to Allerton Street	\$0.25	Free
Bradford Street	Southeasterly	Warren Street to Allerton Street	\$0.25	Free
Bradford Street	Northerly	Middlefield Road to Jefferson Avenue	\$0.25	Free
Bradford Street	Southerly	Middlefield Road to Jefferson Avenue	\$0.25	Free
Bradford Street	Northerly	Jefferson Avenue to Main Street	\$0.25	Free
Bradford Street	Southerly	Jefferson Avenue to Main Street	\$0.25	Free
Bradford Street	Northerly	Main Street to Walnut Street	\$0.50	Free
Bradford Street	Southerly	Main Street to Walnut Street	\$0.50	Free
Broadway	Northerly	Arch Street to El Camino Real	\$0.25	Free
Broadway	Southerly	Arch Street to El Camino Real	\$0.25	Free
Broadway	Northerly	El Camino Real to Perry Street	\$0.50	\$0.75
Broadway	Southerly	El Camino Real to California Street	\$0.50	\$0.75
Broadway	Northerly	Arguello Street to Winslow Street	\$0.50	\$0.75
Broadway	Southerly	Arguello Street to Winslow Street	\$0.50	\$0.75
Broadway	Northerly	Winslow Street to Hamilton Street	\$0.50	\$0.75
Broadway	Southerly	Winslow Street to Hamilton Street	\$0.50	\$0.75
Broadway	Northerly	Hamilton Street to Middlefield Road	\$0.50	Free
Broadway	Northerly	Middlefield Road to Jefferson Avenue	\$0.50	\$0.75
Broadway	Southerly	Middlefield Road to Jefferson Avenue	\$0.50	Free
Broadway	Northerly	Jefferson Avenue to Main Street	\$0.50	\$0.75
Broadway	Southerly	Jefferson Avenue to Main Street	\$0.50	\$0.75

[Three more pages of similar tables omitted]

Sec. 20.118. ESTABLISHMENT OF DOWNTOWN METER ZONE BASE METER RATES FOR SPECIFIED OFF-STREET PARKING AREAS: The following base meter rates are hereby established for certain off-street parking areas:

Parking Facility	Description of Location	Base Meter Rate	
		Monday through Friday, 10:00am to 6:00pm	Monday through Friday, 6:00pm to 10pm; and Saturday through Sunday, 10:00am until 10:00pm
Library Parking Lot "A"	Located southwesterly of the intersection of Main Street with Middlefield Road	\$0.50	\$0.50
Library Parking Lot "B"	Located southeasterly of the intersection of Jefferson Avenue with Middlefield Road	\$0.50	\$0.50
City Hall Parking Lot	Located at the east side of City Hall, near the rear entry thereof, 1017 Middlefield Road	\$0.75	\$0.75
Winslow Street Parking Lot	Located northwesterly of the intersection of Winslow Street with Hamilton Street	\$0.25	\$0.25
Perry Street Parking Lot	Located northwesterly of the intersection of Perry Street with Commercial Way	\$0.50	\$0.50
Main Street Parking Lot	Located at the southerly of Broadway, between Main Street and Jefferson Avenue, and northeasterly of City Hall, 1017 Middlefield Road	\$0.25	\$0.25

Sec. 20.119. ESTABLISHMENT OF DOWNTOWN METER ZONE BASE METER RATES FOR SPECIFIED OFF-STREET PARKING AREAS: The following base meter rates are hereby established for certain off-street parking areas:

Parking Facility	Description of Location	Peak Hours	Hourly Rate For Peak Hours	Base Hourly Rate For Non-Peak Hours
Jefferson Avenue Garage	Located southwesterly of the intersection of Broadway with Jefferson Avenue	Monday through Thursday, 5:00pm until closing, but no later than 3:00am; Friday, from 12:00pm until closing, but no later than 3:00am; and Saturdays, Sundays, and holidays from opening until closing, but no later than 3:00am.	\$5.00	\$0.25
Middlefield Road Parking Lot	Located westerly of the intersection of Middlefield Road and Jefferson Avenue	Monday through Thursday, 5:00pm until closing, but no later than 3:00am; Friday, from 2:00pm until closing, but no later than 3:00am; and Saturdays, Sundays, and holidays, from opening until closing, but no later than 3:00am.	\$5.00	\$0.25
Marshall Street Garage	Located southerly of Marshall Street, between Jefferson Avenue and Main Street	Monday through Friday, 5:00pm until closing, but no later than 3:00am; and Sundays, and holidays from opening until closing, but no later than 3:00am	\$5.00	\$0.25

Sec. 20.120. PERIODIC ADJUSTMENT OF DOWNTOWN METER ZONE METER RATES: Under the authority of California Vehicle Code section 22508, the City Council hereby adopts the following process for adjusting Downtown Meter Zone meter rates from time to time to manage the use and occupancy of the parking spaces for the public benefit in all parking areas within the Downtown Meter Zone.

- A. To accomplish the goal of managing the supply of parking and to make it reasonably available when and where needed, a target occupancy rate of eighty-five percent (85%) is hereby established.
- B. At least annually and not more frequently than quarterly, the Parking Manager shall survey the average occupancy for each parking area in the Downtown Meter Zone that has parking meters. Based on the survey results, the Parking Manager shall adjust the rates up or down in twentyfive cent (\$0.25) intervals to seek to achieve the target occupancy rate. The base parking

meter rate, and any adjustments to that rate made pursuant to this ordinance, shall become effective upon the programming of the parking meter for that rate. A current schedule of meter rates shall be available at the City Clerk's office.

- C. The hourly meter rate shall not exceed one dollar and fifty cents (\$1.50) without the express approval of the City Council.
- D. This Section does not apply to the parking facilities described in Section 20.119 of this Division during the "peak hours."

Sec. 20.121. USE OF DOWNTOWN METER ZONE PARKING METER REVENUES: Revenues generated from on-street and off-street parking within the Downtown Meter Zone boundaries shall be accounted for separately from other City funds and may be used only for the following purposes:

- A. All expenses of administration of the parking program
- B. All expenses of installation, operation and control of parking equipment and facilities within or designed to serve the Downtown Meter Zone
- C. All expenses for the control of traffic (including pedestrian and vehicle safety, comfort and convenience) which may affect or be affected by the parking of vehicles in the Downtown Meter Zone, including the enforcement of traffic regulations as to such traffic.
- D. Such other expenditures within or for the benefit of the Downtown Meter Zone as the City Council may, by resolution, determine to be legal and appropriate.

Sec. 20.122. ACQUISITION, INSTALLATION, MAINTENANCE, REGULATION, OF METERS; ROLE OF CITY MANAGER: The City Manager is hereby directed to provide for the purchase, acquiring, installation, operation, maintenance, supervision, regulation and use of the parking meters provided for in this Division and to maintain the meters in good workable condition.

Sec. 20.123. LOCATION AND OPERATION OF METERS:

- A. Conventional parking meters installed in a parking meter zone shall be placed immediately adjacent to individual parking places described in the following section and shall be placed on the curb or sidewalk if the parking place is adjacent to a curb or sidewalk. Each conventional parking meter shall be arranged so that upon the expiration of the time period for which payment was deposited it will indicate by a proper visible signal that the lawful parking period for the adjacent parking meter space has expired and in such cases the right of such a vehicle to occupy the space shall cease.
- B. Each pay-by-space machine, pay-and-display machine, or pay-on-foot machine shall conspicuously display the applicable parking rates and instructions for use of the machine. Each pay-by-space or pay-and-display machine shall, upon the deposit of the appropriate United States coins, currency, credit card, or city prepaid parking card with respect to a parking meter space controlled thereby, dispense a receipt showing the amount of time

purchased and when the lawful parking period will expire for that space. Upon expiration of the lawful parking period, the right of a vehicle to occupy the space shall cease.

Sec. 20.124. MARKING OF INDIVIDUAL PARKING SPACES; VEHICLES TO BE PARKED WITHIN MARKED LINES:

The City Manager shall have lines or markings painted or placed upon the curb, right of way or parking lot adjacent to each parking meter for the purpose of designating the parking space for which the parking meter is to be used. Spaces regulated by pay-by-space machines shall be assigned numbers, which shall be clearly painted onto the curb next to each such space. It shall be unlawful and a violation of this Division to park any vehicle across any such line or marking or to park the vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.

Sec. 20.125. MANNER OF PARKING IN SPACES PARALLEL TO CURB: When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk and is regulated by a conventional parking meter, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle nearest to such meter.

Sec. 20.126. USE OF METER REQUIRED:

- A. When a vehicle is parked in any space controlled by a conventional parking meter or a pay-by-space machine and payment is required pursuant to Sections 20.117, 20.118, or 20.119, the operator of the vehicle shall upon entering the parking space, immediately purchase time by depositing coins indicated on such meter or by depositing other forms of payment which may be accepted at pay-by-space and pay-and-display machines such as dollar bills, credit cards, or prepaid city parking card as specified on such machines. Failure to put the meter in operation by purchasing time, and (if applicable) failure to place the receipt on the vehicle dashboard as prescribed, shall constitute a violation of this Division.
- B. When a vehicle is parked in any space controlled by a pay-and-display machine and payment is required pursuant to Sections 20.117, 20.118, or 20.119, the operator of the vehicle shall upon entering the parking space, immediately purchase time by depositing coins indicated on such meter or by depositing other forms of payment which may be accepted at pay-by-space and pay-and-display machines such as dollar bills, credit cards, credit cards, or prepaid city parking card as specified on such machines. The operator of the vehicle shall immediately cause the parking receipt provided by the machine to be placed face up on the driver's side dashboard of the vehicle. Failure to put the meter in operation by purchasing time, and (if applicable) failure to place the receipt on the vehicle dashboard as prescribed, shall constitute a violation of this Division. Upon the deposit of payment and placing such meter in operation, the parking space may be lawfully occupied by such vehicle for the time indicated by the meter.
- C. When a vehicle is parked in any space controlled by a pay-on-foot machine and payment is required pursuant to Sections 20.117, 20.118, or 20.119, the operator of the vehicle shall upon entering the parking facility, press the specified button at the gate to receive a voucher. Prior to departure from the facility, the operator of the vehicle shall deposit the voucher into the pay-on-foot machine and shall pay for the time used by depositing the amount of money specified by the machine in a form of payment which may be accepted at the machine such as coins,

dollar bills, credit cards, or prepaid city parking card as specified on such machines. Failure to remove vehicle from the parking facility within fifteen (15) minutes of payment shall constitute a violation of this Division. Failure to pay for time used shall constitute a violation of this Division.

Sec. 20.127. INJURING OR TAMPERING WITH METERS: It shall be unlawful and a violation of the provisions of this Division for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Division or post supporting such parking meter.

Sec. 20.128. USE OF SLUGS AND SIMILAR DEVICES PROHIBITED: It shall be unlawful and a violation of the provisions of this Division to deposit or cause to be deposited in any parking meter any slugs, device or metallic substance, or any other substitute for any of the coins or other payment types specified in Section 20.123.

Sec. 20.129. OVERTIME PARKING: If the vehicle shall remain parked in any such parking space beyond the time for which payment has been made, the parking meter shall indicate such illegal parking and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time and the parking of a vehicle overtime or beyond the period of legal parking time in any such part of a street where any such meter is located shall be a violation of this Division. It shall be unlawful and a violation of the provisions of this Division for any person to cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone.

Sec. 20.130. PARKING OR REMAINING ADJACENT TO EXPIRED METER: It shall be unlawful and a violation of the provision of this Division for any person to permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while the meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.

Sec. 20.131. DUTY OF POLICE WHERE VEHICLE PARKED OVERTIME; ISSUANCE OF CITATION: It shall be the duty of each police officer or parking enforcement deputy to take the number of any meter at which any vehicle is over-parked, as provided in Section 20.124; the state vehicle license of such vehicle; the time and date of such overparking, and make of such vehicle; and issue, in writing, a citation for illegal parking in the same form and subject to the same procedure provided for by the laws of the State applicable to the traffic violations within the City.

Sec. 20.132. PAYMENT OF FINE TO AVOID PROSECUTION: Any operator or owner of a vehicle to whom a citation has been issued in accordance with the preceding section may, within fifteen (15) days of the time of the issuance of such citation, pay to the appropriate court, as a penalty for and full consideration of such violation, the sum of twenty-five dollars (\$25.00). The mailing, in a sealed envelope properly addressed through the United States mail,

of a check, money order, or postal order, within fifteen (15) days from the time of issuance of the citation, or notice of such violation, or the deposit at the City Hall of the sum of twenty-five dollars (\$25.00) within fifteen (15) days constitutes a compliance with this provision. Delivery of such envelope shall be the responsibility of such owner or operator. The failure of such owner or operator to make such payment within the fifteen (15) days shall render such owner or operator subject to the penalties provided for violation of the provisions of this Division.

Sec. 20.133. PROVISIONS FOR TEMPORARY SUSPENSION OF METER RATES:

The provisions of Division may be suspended from time to time by motion of the City Council in any case where the Council finds that strict compliance would not serve the public interest, including but not limited to the use of public streets and sidewalks for celebrations, special public events, celebration of holiday seasons and any other such activity or purpose as the City Council in its sole discretion shall determine.

Sec. 20.134. DEFINITIONS: For the purposes of this Division the following words and phrases shall have the meanings respectively ascribed to them by this Section:

OPERATOR: Every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner.

PARKING MANAGER: The person so designated by the City Manager to, among other responsibilities, monitor the occupancy of parking areas and adjust meter rates according to the provisions of Division 4.

PARKING METER: Any mechanical device which accepts payment for the use of parking spaces as described in this Division. Such mechanical devices shall include but not be limited to conventional parking meters, pay-by-space machines, pay-and-display machines, and pay-on-foot machines.

STREET: Any public street, avenue, road, boulevard, highway or other public place located in the City and established for the use of vehicles.

VEHICLE: Any device in, upon or by which any person or property is, or may be transported upon a street or highway, except a device which is operated upon rails or tracks.

Sec. 20.135--20.149. RESERVED

3. Division 5 of Chapter 20, Article VII is hereby amended in its entirety to read as follows:

DIVISION 5. PARKING PERMITS Sec. 20.150. ISSUANCE; FEE:

- A. The City Manager is hereby authorized to issue parking permits to the public in accordance with the following schedule and subject to the payment of the following fees:

Permit Type	Valid Area	Valid Times	Monthly Cost	Yearly Cost
Marshall/Middlefield Bronze Permit	Marshall Street Garage and Middlefield Parking Lot	Valid in Middlefield Parking Lot Monday through Friday, from the time at which meters begin operation until 7:00pm; valid in Marshall Street Garage Monday through Friday, from the time at which meters begin operation until 7:00pm	\$30.00	\$330.00
Marshall/Middlefield Silver Permit	Marshall Street Garage and Middlefield Parking Lot	Valid in Middlefield Parking Lot Monday through Friday, from the time at which meters begin operation until 7:00pm; valid in Marshall Street Garage Monday through Friday, all hours	\$35.00	\$385.00
Marshall/Middlefield Gold Permit	Marshall Street Garage and Middlefield Parking Lot	Valid in Middlefield Parking Lot Monday through Friday, from the time at which meters begin operation until 7:00pm; valid in Marshall Street Garage at all times	\$40.00	\$440.00
Perry/Winslow/Main Bronze Permit	Perry Street Parking Lot, Winslow Street Parking Lot, and Main Street Parking Lot	Monday through Friday, from the time at which meters begin operation until 7:00pm	\$40.00	\$440.00
Perry/Winslow/Main Silver Permit	Perry Street Parking Lot, Winslow Street Parking Lot, and Main Street Parking Lot	Monday through Friday, all hours	\$50.00	\$550.00
Perry/Winslow/Main Gold Permit	Perry Street Parking Lot, Winslow Street Parking Lot, and Main Street Parking Lot	All times	\$60.00	\$660.00
Library Parking Lot "C" Gold Permit	Library Parking Lot "C"	All times	\$20.00	\$220.00

B. The City Manager is hereby authorized to issue parking permits, without charge, to City employees, officers, volunteers, and visitors as follows:

Permit Type	Valid Area	Valid Times
"C.E." Permit	Library Parking Lot "B" and Library Parking Lot "C"	Valid in Library Parking Lot "B" on Mondays through Fridays, from the time which meters begin operation until 6:00pm; valid in Library Parking Lot "C" at all times
"C.O." Permit	Main Street Parking Lot	All times
City Hall Visitor Permit	City Hall Parking Lot	All times, with the exception that such permits shall be of a temporary nature and shall only be valid on the day during which they were issued.

C. In order to ensure orderly and efficient use of the parking supply, the City Manager is authorized to limit the number of permits which may be issued, in which case priority shall be based on the order in which requests for such permits are received.

D. The City Manager is authorized to collect deposits, require the submission of application forms, and to establish other administrative procedures for the parking permit program as may be necessary from time to time.

Sec. 20.151. FORM: The parking permit may consist of a windshield card or may be in such other form as the City Manager may prescribe.

Sec. 20.152. PAYMENT OF FEE IN ADVANCE; PRORATION; REFUNDS: Payment shall be made to the City in advance on an annual calendar year basis for an annual permit, or on a calendar month basis for a monthly permit. The fee payable for a monthly permit purchased after the sixteenth of the month shall be one-half (1/2) the monthly fee established by resolution of the City Council. The fee payable for an annual permit shall be the fee established by resolution of the City Council, which amount shall be prorated on a monthly basis for issuance thereof after January 1 of any year; provided, however, during the last two (2) months of each calendar year monthly permits only may be purchased.

Sec. 20.153. DISPLAY WHERE VISIBLE; RELIEF FROM PAYMENT OF METER FEES: When a windshield card parking permit is placed so as to be clearly legible through the windshield of a vehicle, the operator thereof shall be relieved of the obligation of putting the meter, pay-by-space machine, or pay-and-display machine in operation by the deposit of money therein during the time periods for which such permit is valid. If the permit is not so visible, the vehicle and operator shall be subject to the provisions of Division 4 of this Article. If the permit is visible but is used during periods for which it is not valid or in a manner for which it is not valid as established by this Division, the vehicle and operator shall be subject to the provisions of Division 4 of this Article.

Secs. 20.154 -20.159. RESERVED:

4. Division 9 of Chapter 20, Article VII is hereby amended in its entirety to read as follows:

DIVISION 9. REGULATED, UNMETERED OFF-STREET PARKING FACILITIES

Sec. 20.184. REGULATED, UNMETERED OFF-STREET PARKING FACILITIES DESIGNATED: The following off-street parking facilities, owned or operated by the City, are hereby designated as regulated, unmetered off-street parking facilities:

- A. Police Department Parking Lot, located at the front, unenclosed area, of the Police Department building, 1301 Maple Street.
- B. Municipal Services Center Parking Lot, 1300 Broadway.
- C. Library Parking Lot "C," located directly behind and southerly of the Main Library branch, 1044 Middlefield Road. The City Manager shall cause parking spaces to be designated and shall cause appropriate signs to be posted, and markings to be made, in all regulated, unmetered off-street parking facilities designated in this Section.

Sec. 20.185. PERMITS ISSUED: The City Manager is hereby authorized to issue parking permits for use in regulated unmetered off-street parking facilities in accordance with such rates and regulations as shall be established by resolution of the City Council.

The parking facility permit may consist of a windshield card or may be in such other form as the City Manager may prescribe.

Sec. 20.186. PERMIT OR CITY IDENTIFICATION REQUIRED:

- A. It shall be unlawful for any person to permit any vehicle to occupy or remain in any space in the Police Department Parking Lot for more than one hour, except on Sundays and holidays, when signs are erected giving notice thereof, unless such vehicle displays a valid parking permit or said vehicle bears distinctive markings, or logo, or sign (collectively, "City identification") identifying said vehicle as City-owned or as an otherwise duly designated City vehicle.
- B. It shall be unlawful for any person to permit any vehicle to occupy or remain in any space in the Municipal Services Center parking lot for more than one hour, except On Sundays and holidays, when signs are erected giving notice thereof, unless such vehicle displays a valid parking permit or said vehicle bears distinctive markings, or logo, or sign (collectively, "City identification") identifying said vehicle as City-owned or as an otherwise duly designated City vehicle.
- C. It shall be unlawful for any person to permit any vehicle to occupy or remain in any space in the Library Parking Lot "C" unless such vehicle displays a valid parking permit or said vehicle bears distinctive markings, or logo, or sign (collectively, "City identification") identifying said vehicle as City-owned or as an otherwise duly designated City vehicle.

Sec. 20.187. DISPLAY OF PERMIT: Windshield card permits shall be placed so as to be clearly legible through the windshield of a vehicle parked in a regulated unmetered parking facility.

Sec. 20.188. NO PARKING AREAS: It shall be unlawful for any person to permit any vehicle to occupy or remain in, or adjacent to, any area marked or posted by signs for no parking, or parking prohibited, or adjacent to any curb painted red, as so designated by the City Manager in any off-street parking facility described in Section 20.184, or in any turnaround circle or other traffic circulation portion of said facility so designated

Sec. 20.189. VEHICLES TO BE PARKED WITHIN LINES: It shall be unlawful and a violation of this Division to park any vehicle across lines designated parking spaces or to park a vehicle in such position that the same shall not be entirely within the area so designated by such lines.

Sec. 20.190. ISSUANCE OF CITATION: It shall be the duty of each police officer or parking enforcement deputy to take the designated name or description of the regulated unmetered parking facility at which any vehicle is parked in violation of Sections 20.186 through 20.189 of this Division; the state vehicle license of such vehicle; the time and date of such parking; and the make of such vehicle; and issue, in writing, a notice to appear (citation) for illegal parking in the same form and subject to the same procedures provided by the laws of the State applicable to traffic violations within the City.

Sec. 20.191. PAYMENT OF FINE TO AVOID PROSECUTION: Any operator or owner of a vehicle to whom a citation has been issued in accordance with the preceding section may, within fifteen (15) days of the time of the issuance of such citation, pay to the appropriate court, as a penalty for and full consideration of such violation, the sum of twenty-five dollars (\$25.00) plus applicable surcharges established by resolution. The mailing, in a sealed envelope properly addressed through the United States mail, of a check, money order or postal

order, within fifteen (15) days from the time of issuance of the citation, or notice of such violation, or the deposit with the court of the sum of twenty-five dollars (\$25.00), plus applicable surcharges, within fifteen (15) days constitutes compliance with this provision. Delivery of such envelope shall be the responsibility of such owner or operator. The failure of such owner or operator to make such payment within the fifteen (15) days shall render such owner or operator subject to the penalties provided for violation of the provisions of this Division

Sec. 20.192-20.199. RESERVED 5. This ordinance shall take effect on February 1, 2006.