



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: MARCH 16, 2021

FROM: PUBLIC WORKS DEPARTMENT WARD: 1

SUBJECT: PUBLIC PARKING PROGRAM – RESOLUTION TO AMEND THE PARKING RATE AND HOUR SCHEDULE AND AUTHORIZE THE CITY MANAGER TO ALTER HOURS AND/OR RATES WHEN THE ALTERATION IS RELATED TO THE PROTECTION OF LIFE AND PROPERTY AS AFFECTED BY A LOCAL EMERGENCY

ISSUE:

Adopt a Resolution to amend the Parking Rate and Hour Schedule and authorize the City Manager as Director of Emergency Services to alter the hours and/or rates set for in the resolution, when the alteration is reasonably related to the protection of life and property as affected by a local emergency.

RECOMMENDATION:

That the City Council adopt a Resolution to:

1. Amend Resolution No. 21322 to revise the Parking Rate and Hour Schedule to provide for Emergency Parking Programs; and
2. Authorize the City Manager as Director of Emergency Services to alter the hours and/or rates set for in the resolution, when the alteration is reasonably related to the protection of life and property as affected by a local emergency.

LEGISLATIVE HISTORY:

The California Emergency Services Act (Government Code section 8550, et seq.), Government Code section 8630, and Riverside Municipal Code sections 2.68.010 and 9.20.060 empower the Director of Emergency Services and the Riverside City Council to proclaim a Local Emergency when the City Council is not in session when there exists conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of the City of Riverside, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions to combat. Said proclamations must be ratified by the City Council within seven days.

BACKGROUND:

The ever-changing landscape during the Pandemic has required Parking Services to make continual adjustments to its programs and practices.

On March 13, 2020, the Director of Emergency Services declared a local emergency to increase the City's efforts to protect the public from COVID-19. The City's proclamation of local emergency notes that "there exists conditions of a disaster or of extreme peril to the safety of persons or property within the territorial limits of the City of Riverside that are beyond the control of the services, personnel, equipment and facilities of the City for the reason of COVID-19." The declaration of local emergency was ratified by the City Council on March 17, 2020.

On March 19, 2020, the public parking facilities ceased to operate during all hours as the collection of parking fees by attendants was not an essential service to public health. In addition, due to the pandemic, the resulting temporary cessation of Convention Center operations ceased the need to use Lot 33 as the Convention Center event parking area.

On May 26, 2020, the Director of Emergency Services issued an Order regarding Temporary Outdoor Flex Space for Restaurants, which was ratified by the City Council on June 2, 2020. In addition, the City Council adopted a Resolution revising the Parking Rate and Hour Schedule to temporarily waive the rental fee for parklets in order to provide for flexible, creative and innovative approaches to assist local dine-in restaurants to achieve normal occupancy levels given physical distancing requirements and other modifications deemed necessary for public health.

On July 1, 2020, the public parking facilities returned to normal operations.

On November 19, 2020, the California Department of Public Health declared a Limited Stay at Home Order effective in counties under Tier One (Purple), requiring that all activities conducted outside the residence cease between 10:00pm PST and 5:00am PST starting on November 21, 2020, at 10:00pm PST and in effect until 5:00am PST on December 21, 2020, at which time may be extended or revised as needed.

On December 3, 2020, the California Department of Public Health announced a Regional Stay at Home Order effective in regions for which Intensive Care Unit (ICU) bed capacity is less than 15%, and requiring all individuals living within the impacted Region to stay home or at their place of residence, except as necessary to conduct activities associated with the operation, maintenance, or usage of critical infrastructure. The Regional Stay at Home Order for the Southern California Region went into effect on December 6, 2020.

On January 12, 2021, the City Council ratified the Order of the Director of Emergency Services ceasing evening public parking garage attendant operations and fee collections during the ongoing Stay at Home Orders.

On January 25, 2021, Governor Newsom lifted the Regional Stay at Home Order statewide and Riverside County moved back to the state's Tier One (Purple), which allows several types of businesses and places of worship to move outside.

DISCUSSION:

As adopted by City Council, the Parking Rate and Hour Schedule stipulates the hours of operation, fees and rates for public parking. Since the declaration of the Local Emergency and as a response

to the Stay at Home Orders, the public parking program has adjusted services and rates to abide by the orders. For example, in June 2020, the City Council adopted a resolution to revise the Parking Rate and Hour Schedule to temporarily waive the rental fees for permitted parklets as part of the Temporary Outdoor Flex Space Permit Program for Restaurants. Most recently, in January 2021, the City Council ratified the Order of the Director of Emergency Services to cease the evening public parking garage attendant operations and fee collections during the ongoing Stay at Home Orders. Shortly thereafter, the opportunity to utilize surface parking Lot 33 as a vaccine distribution site would require another order to suspend the parking rate.

Lot 33, located on Third Street between Market and Main Streets, normally gives the Convention Center priority to utilize 498 parking spaces, and has a set rate of \$1.50 per hour, Monday through Friday between the hours of 9:00 A.M. to 5:00 P.M., except for Holidays. However, since March 2020, the resulting temporary cessation of Convention Center operations ceased the need to use Lot 33 as their event parking area, freeing up just under 500 parking spaces. Therefore, the footprint of Lot 33 is large enough to accommodate a vaccine distribution site and its location provides convenient public access. With this resolution, the City Manager would have the authority to waive the parking rates in Lot 33 without ratification by the City Council, allowing the City to contribute towards a benefit to public health without delay.

This resolution will allow the City Manager, during a proclaimed local emergency, to make changes to parking hours and rates as necessary, when reasonably related to the protection of life and property as affected by the local emergency. Although ratification by the City Council shall not be required, the City Manager, or designee shall report to the City Council on any alterations set forth in the Parking Rate and Hour Schedule. Furthermore, the City Manager, or designee shall provide an update to the City Council no less than monthly throughout the duration of the local emergency and shall make such changes as ordered by the City Council.

As such, the Public Works Department recommends the proposed changes to authorize the Director of Emergency Services to alter the hours and/or rates set in the resolution, when the alteration is reasonably related to the protection of life and property as affected by a local emergency is reflected in the Parking Rate and Hour Schedule. In addition, as an administrative clean up related to updated language, it is recommended the City Council amend Resolution No. 21322. This language will provide the City Manager with the ability to make changes to the parking hours and/or rates during the present COVID-19 local emergency, as well as future local emergencies, as provided in the language of the proposed resolution.

FISCAL IMPACT:

The total fiscal impact of the recommended actions of this report are unknown at this time.

Prepared by: Kris Martinez, Public Works Director
Certified as to availability of funds: Edward Enriquez, Chief Financial Officer/City Treasurer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Kristi J. Smith, Interim City Attorney

Attachment: Resolution