



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: SEPTEMBER 20, 2022**

**FROM: PUBLIC WORKS DEPARTMENT      WARDS: ALL**

**SUBJECT: ESTABLISHMENT OF PARKING ENFORCEMENT SUSPENSION AND EXEMPTION POLICIES**

## **ISSUES:**

Receive a report discussing the City's existing Street Sweeping enforcement-related suspensions and the establishment of policies to temporarily suspend parking enforcement; establish a Suspension of Parking Enforcement Request Policy; introduce an Ordinance amending Chapters 10.08, 10.52, and 10.60 of the Riverside Municipal Code; and direct staff to either commence routine issuance of citations related to first-time warnings or return with the appropriate Municipal Code revisions.

## **RECOMMENDATIONS:**

That the City Council:

1. Receive a report on the City's existing Street Sweeping Program enforcement suspensions and exemptions practices;
2. Establish a Suspension of Parking Enforcement Request Policy;
3. Introduce and subsequently adopt the attached Ordinance:
  - a. Adding Chapter 10.08.050 to the Riverside Municipal Code authorizing the City Traffic Engineer or designee to suspend parking regulations or restrictions following the conditions set forth;
  - b. Amending the Riverside Municipal Code authorizing the City Manager to permit parking without imposition of the time limits or fees established when a need exists due to special events or meetings to include "elections" in Chapters 10.52.100 (B) for any municipal roadway and 10.60.010 (D) for any municipal parking facility; and
4. Direct staff to either commence routine issuance of citations related to first-time warnings, holiday weeks, school and business frontages, and disabled person parking placards, or return with the appropriate Municipal Code revisions to formally adopt exceptions for these categories of enforcement.

## **BOARD RECOMMENDATIONS:**

On July 6, 2022, the Transportation Board (Board) reviewed this matter with seven of nine members were present. The Board voted unanimously to recommend the City Council: (1) receive a report on street sweeping practices; (2) establish policies to apply when exempting and suspending street sweeping enforcement; (3) adopt an ordinance (a) adding Chapter 10.08.050 to the Riverside Municipal Code authorizing the City Traffic Engineer or designee to suspend any parking regulations or restrictions following the conditions set forth, and (b) amend the Riverside Municipal Code authorizing the City Manager to permit parking without imposition of the time limits or fees established when a need exists due to special events or meetings to include “elections” in Chapters 10.52.100 (B) for any municipal roadway and 10.60.010 (D) for any municipal parking facility; and (4) provide any feedback, recommended program changes and direction to staff on next steps.

## **BACKGROUND:**

In 2006, parking enforcement was added to the City’s Street Sweeping Program to help meet Federal and local mandates that require the City to minimize or prevent pollution from entering local waters. Enforcement was phased in, with full implementation reached in April 2011.

The City continues to sweep areas with curb and gutter twice a month in most residential areas and more frequently in high traffic areas such as Downtown. In residential areas, streets are swept during the day when curbside parking needs are typically lightest. To facilitate this, parking is restricted to afternoons or mornings to allow sweepers a four-hour window within which to sweep the street. Sweeping operations are timed to reduce impacts to residents and businesses. Therefore, commercial areas and school locations posted with the same restrictions as the adjacent residential area have been swept in the early morning hours when streets are typically vacant, and enforcement does not occur.

Residents and businesses expect the streets to be cleaned regularly. Enforcement encourages drivers to move vehicles and allow the street sweeper to clear sediments, nutrients, and bacteria that would have otherwise accumulated in the stormwater system and eventually be carried to the Santa Ana River. For every vehicle parked, approximately 36-feet of curb space is bypassed, and routine violations can lead to an accumulation of debris.

The Public Works Department reviewed the Street Sweeping Program’s current practices of non-enforcement in select zones and public requests to temporarily suspend parking enforcement. Based on existing practices, some areas may not be consistently or thoroughly swept as parked vehicles preclude street sweepers from accessing all curb areas to clean the roadways. Further, staff have found that the controls to monitor requests for suspension of parking enforcement need improvement.



*Figure 1: Parked Cars can cause debris to build up when the sweeper is unable to service the street.*

## **DISCUSSION:**

This report is comprised of two parts, an overview of the existing Street Sweeping enforcement practices and a proposed establishment of requirements and policies for individuals requesting temporary suspension of parking enforcement for any violation.

### **Part 1 – Existing Street Sweeping Enforcement Program Practices**

Given the challenges that occurred when the Street Sweeping Enforcement Program was implemented in 2011, the City informally promoted “Friendly Parking Enforcement” business practices, which have continued since the inception of the program:

1. Citations are dismissed as first-time warnings through the appeals process for:
  - a. Visitors and residents that inadvertently forget to move their car during designated sweeping days;
  - b. Residents who have recently moved to Riverside; and
  - c. Landscape, pool maintenance, or construction vehicles conducting business.
2. Enforcement is ceased and flyers depicting the street sweeping calendar are issued during the weeks of Thanksgiving, Christmas, and New Year.
3. No citations are issued on a routine basis under the following circumstances:
  - a. Curbs in front of businesses;
  - b. Along the perimeter of schools;
  - c. When a vehicle displays a valid disabled person parking placard; and
  - d. If signs are not clearly posted, have been removed, are missing, or have been vandalized.
4. No citations are issued upon certain resident request for funerals, parties, graduations, or construction. From March 1, 2021 through March 31, 2022, staff received 804 requests to suspend sweeping enforcement, many of which were made on the same day of the event, making it challenging for staff to accommodate and coordinate between the sweeper, parking enforcement officer, and Police Department.

After review of existing exemption and suspension practices, staff has determined that the necessary Riverside Municipal Code provisions to allow for such practices were not implemented at the time of establishing the Street Sweeping Program.

To manage requests under category 4, staff recommends that Council adopt the Suspension of Parking Enforcement Request Policy detailed in Part 2 of this report.

To address categories 1-3, staff is requesting direction to either commence enforcing in accordance with the Riverside Municipal Code, or to return to City Council to formally adopt exemptions and establish a source of authority to accommodate routine suspensions of enforcement during scheduled street sweeping days. Staff are generally able to work around challenges related to curbs fronting businesses and schools by arriving in the area prior to times of peak activity. However, staff recommends that, following a six-month warning period, vehicles displaying disabled person parking placards not be included in a formal exemption. These

vehicles, when parked for extended periods, can lead to severe buildup of debris in the right-of-way that cannot be reached by City sweeping equipment.

While not directly related to street sweeping, staff received several complaints that metered parking fees may serve as a potential barrier to voting. While there is no statutory requirement to provide parking at a polling place, the public's perception is that parking spaces should accommodate all voters free of charge. To support polling locations and to remove perceived barriers, staff recommends amending the Riverside Municipal Code authorizing the City Manager to permit parking without imposition of the time limits or fees established when a need exists due to special events or meetings to include "elections" in Chapters 10.52.100 (B) for any municipal roadway and 10.60.010 (D) for any municipal parking facility.

### *Part 2 – Establishment of a Suspension of Parking Enforcement Request Policy*

As previously noted, staff received over 800 requests to suspend enforcement over the period of one year. A clearly defined policy is needed to manage this volume of requests for special consideration. The Public Works Department researched best practices utilized by other local agencies to handle requests for temporary suspension of parking enforcement. The City of Downey was unique in that they have an application process and a corresponding municipal code that gives special authority to suspend enforcement.

To ensure transparency and continue to process requests for suspending enforcement of non-safety related violations, the Public Works Department is proposing the establishment of a new process. The new process includes adopting an Ordinance issuing authority to the City Traffic Engineer, and policies and procedures as follows:

1. Applicant submission of a request to the Public Works Department Traffic Engineering Division a minimum of five (5) business days before the start date of the event to allow review and approval of eligibility;
2. Establishment of maximum event duration of 60 calendar days with one (1) option to extend for an additional 60 calendar days;
3. Establishment of a maximum number of events at the same address limiting events to one (1) per calendar quarter; and
4. Requests for more than 120 calendar days shall require Transportation Board review and will not be in effect until granted by City Council.

The process would be initiated by a request made to the Public Works Traffic Engineering Division for initial review of eligibility, a minimum of one month in advance of the event. Once eligibility is determined, the requestor would be notified of the decision.

No consideration will be given to safety zones, such as red zones, fire hydrants, and areas posted as no stopping. When parking regulations are suspended, drivers are still not permitted to park illegally (i.e., blocking fire hydrants, sidewalks, etc.) and will be cited accordingly.

The application form will be published on the City's website and accepted digitally, in-person, or by phone via the Call Center. The Public Works Department will work with the Call Center to update the staff, system, and script to ensure the public is advised of the new application process and policies. In addition, Public Works will provide a grace period during the transition and accept requests received less than five-calendar days for six months after the policy is approved.

Current requests for suspension of sweeping enforcement are offered free of cost and staff recommends continuing this practice.

The proposed process would improve consideration for all roadway users, facilitating temporary suspension of parking enforcement for short-term events on a street with parking regulations.

### **STRATEGIC PLAN ALIGNMENT:**

This item contributes to **Strategic Priority 2 – Community Well-Being** and **Goal 2.3 – Strengthen neighborhood identities and improve community health and the physical environment through amenities and programs that foster an increased sense of community and enhanced feelings of pride and belonging citywide**, and **Strategic Priority 5 – High Performing Government** and **Goal 5.3 – Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision-making**.

This item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – The review of current practices allows for inclusive community engagement that will serve the public interest.
2. **Equity** – The proposed policy establishment will serve all constituents across the city.
3. **Fiscal Responsibility** – **The proposed policy balances resident needs and costs to operate the enforcement program.**
4. **Innovation** – By implementing a policy for temporary suspension of parking enforcement, Riverside meets the community's changing needs and prepares adaptive processes.
5. **Sustainability & Resiliency** – The proposed policy for temporary suspension of parking enforcement is mindful of the need to clean our roadways to prevent debris from entering waterways.

### **FISCAL IMPACT:**

There is no direct fiscal impact resulting from this report.

Prepared by:	Gilbert Hernandez, Public Works Director
Certified as to availability of funds:	Edward Enriquez, Interim Assistant City Manager/Chief Financial Officer/City Treasurer
Approved by:	Kris Martinez, Assistant City Manager
Approved as to form:	Phaedra A. Norton, City Attorney

Attachments:

1. Draft Temporary Suspension of Enforcement Application

2. Ordinance – Adding Section 10.08.050 Suspension of Parking Restrictions and Amending Sections 10.52.100(B) and 10.60.010(D)
3. Transportation Board Meeting Minutes – July 6, 2022
4. Presentation