

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2003 JUL 10 PM 3: 22

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: July 22, 2003

RE: RESOLUTION APPROVING THE ESTABLISHMENT OF A "NO PARKING/TOW-AWAY" ZONE ON BOTH SIDES OF 5TH AVENUE FROM THE EMBARCADERO TO EAST 10TH STREET, FALLON STREET FROM 6TH STREET TO 10TH STREET, 7TH STREET FROM 5TH AVENUE TO FALLON STREET, AND 10TH STREET/EAST 10TH STREET FROM 5TH AVENUE TO FALLON STREET BETWEEN THE HOURS OF 12 AM AND 3 AM EVERYDAY

SUMMARY

A resolution has been prepared approving the establishment of a "No Parking/Tow-Away" zone on both sides of 5th Avenue from the Embarcadero to East 10th Street, Fallon Street from 6th Street to 10th Street, 7th Street from 5th Avenue to Fallon Street, and 10th Street/East 10th Street from 5th Avenue to Fallon Street between the hours of 12 a.m. and 3 a.m. everyday. See Attachment 1 for display. This action is taken in response to a request from the Alameda County Sheriff's Department. California Vehicle Code (CVC) Section 22651(n) allows local authorities, by resolution or ordinance, to establish and enforce a "No Parking/Tow-Away" zone if proper signs giving notice thereof are in place.

The proposed "No Parking/Tow-Away" zone is consistent with the following City Council budget priorities:

Maintain and Enhance Oakland's Physical Assets: To provide for clean, well-maintained and accessible streets and sidewalks.

Improve Oakland Neighborhoods: Enhance neighborhood commerce.

FISCAL IMPACTS

The estimated cost to install the "No Parking/Tow-Away" signs is \$5,000. Funds are available in the State Gas Tax Fund (2230), the Transportation Services/Traffic Maintenance Organization (30247), and the Miscellaneous Building Supplies Account (52519).

Item #: 11
Public Works Committee
7/22/03

BACKGROUND

The Alameda County Sheriff's Department has reported that the streets around Laney College are being used for overnight stay in parked vehicles. Existing Oakland Municipal Code 10.28.030, prohibiting on-street parking over 72 consecutive hours, has not been an effective means of curtailing this activity. The Sheriff's Department proposed the tow-away policy because it believes the policy is most effective in addressing the problem.

KEY ISSUES AND IMPACTS

By implementing a tow-away zone, violating vehicles may be removed immediately, eliminating the use of vehicles as overnight housing in the area. The Alameda County Sheriffs will enforce the policy. Oakland Police also has the authority to enforce but will defer to the County Sheriffs. The impact of prohibiting parking from 12 a.m. to 3 a.m. everyday is insignificant to the property owners in the immediate vicinity. However, the vehicles in question may relocate to other City streets where the problem of overnight housing may continue.

SUSTAINABLE OPPORTUNITIES

None.

DISABILITY AND SENIOR CITIZEN ACCESS

None.

RECOMMENDATION AND RATIONALE

Based on the facts stated in this report, staff recommends approval of the resolution for the establishment of a "No Parking/Tow-Away" zone on both sides of 5th Avenue from the Embarcadero to East 10th Street, Fallon Street from 6th Street to 10th Street, 7th Street from 5th Avenue to Fallon Street, and 10th Street/East 10th Street from 5th Avenue to Fallon Street between the hours of 12 a.m. and 3 a.m. everyday.

ACTION REQUESTED OF THE CITY COUNCIL

Approve the resolution.

Respectfully submitted,



CLAUDETTE R. FORD

Director, Public Works Agency

Reviewed by:

Raul Godinez II, P.E.

Assistant Director, Public Works Agency

Prepared by:

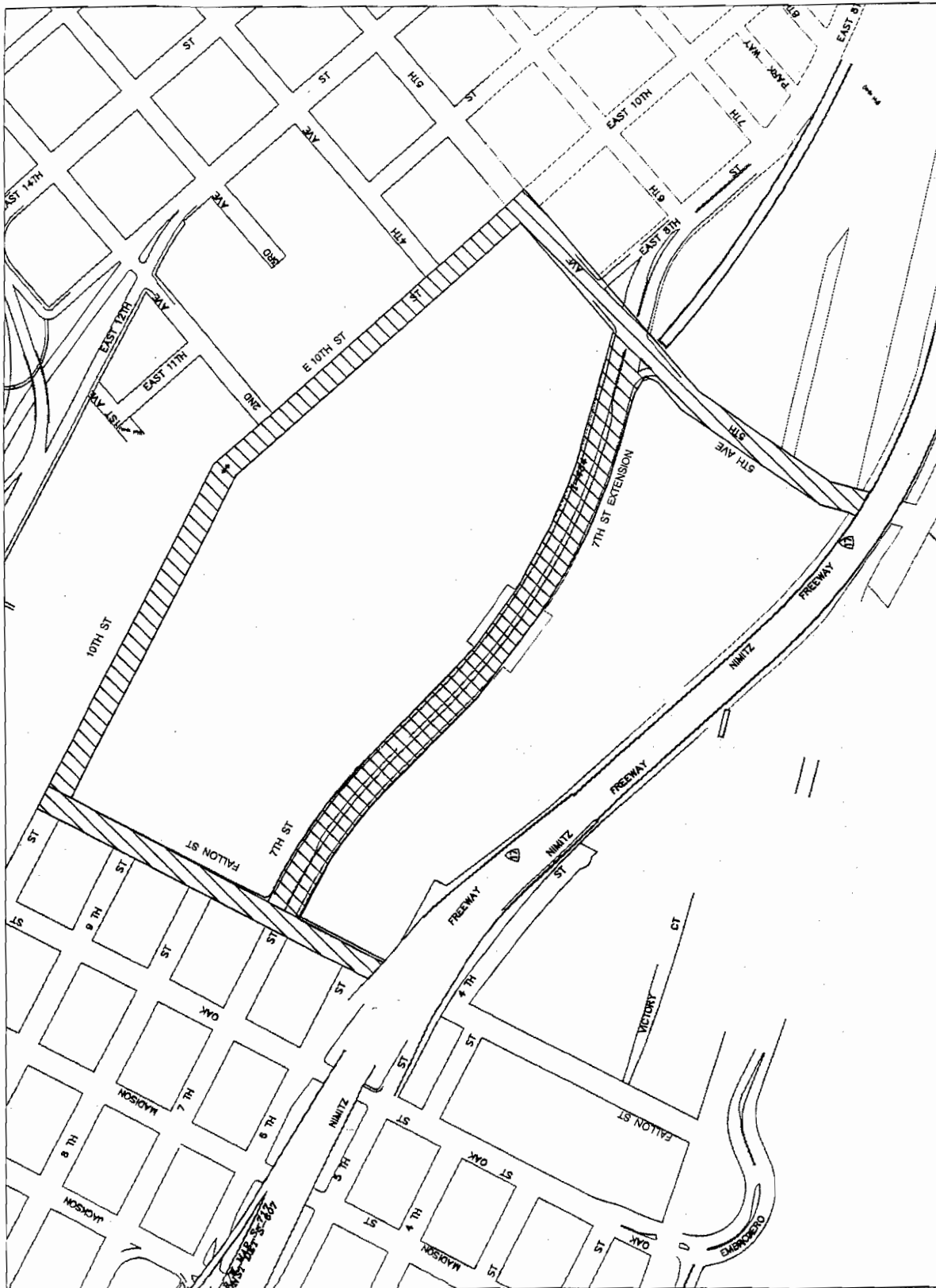
Amit Kothari, P.E.

Transportation Services Manager

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE


OFFICE OF THE CITY MANAGER

ATTACHMENT 1



▨ Tow-Away Zone

OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 JUL 10 PM 3:22
C. M. S.

Resolution No. _____

INTRODUCED BY COUNCILMEMBER _____

Richard

RESOLUTION APPROVING THE ESTABLISHMENT OF A "NO PARKING/TOW-AWAY" ZONE ON BOTH SIDES OF 5TH AVENUE FROM THE EMBARCADERO TO EAST 10TH STREET, FALLON STREET FROM 6TH STREET TO 10TH STREET, 7TH STREET FROM 5TH AVENUE TO FALLON STREET, AND 10TH STREET/EAST 10TH STREET FROM 5TH AVENUE TO FALLON STREET BETWEEN THE HOURS OF 12 AM AND 3 AM EVERYDAY

WHEREAS, California Vehicle Code (CVC) Section 22651(n) allows local authorities, by resolution or ordinance, to establish and enforce a "No Parking/Tow-Away" zone if proper signs giving notice thereof are in place; and

WHEREAS, by changing the enforcement policy from citation to tow-away, violating vehicles may be removed immediately, and the no parking policy will be regarded more seriously; and

WHEREAS, an investigation conducted in response to a request from the Alameda County Sheriff's Department indicates that the installation of "No Parking/Tow-Away" will minimize vagrancy and enhance traffic and pedestrian safety; now, therefore, be it

RESOLVED: That the establishment of a "No Parking/Tow-Away" zone on both sides of 5th Avenue from the Embarcadero to East 10th Street, Fallon Street from 6th Street to 10th Street, 7th Street from 5th Avenue to Fallon Street, and 10th Street/East 10th Street from 5th Avenue to Fallon Street between the hours of 12 a.m. and 3 a.m. everyday is hereby approved.

In Council, Oakland, California, _____, 20__

Passed by the following vote:

AYES – BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

//
PUBLIC WORKS CMTE
JUL 22 2003

ATTEST: _____

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California