

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 NOV 25 AM 9:07

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: December 9, 2003

RE: RESOLUTION APPROVING THE INSTALLATION OF SIGNS AND THE CREATION OF A "NO PARKING/TOW AWAY—COMMERCIAL VEHICLES OVER 10,000 POUNDS OR UNATTACHED TRAILERS" ZONE ON 81ST AVENUE BETWEEN PLYMOUTH AVENUE AND BANCROFT AVENUE

SUMMARY

A resolution has been prepared approving the posting of signs on 81st Avenue between Plymouth Avenue and Bancroft Avenue, which will state: "No Parking/Tow Away—Commercial Vehicles Over 10,000 Pounds or Unattached Trailers." This action is taken in response to a request from the Council District Office. California Vehicle Code (CVC) Section 22651(n) allows local authorities, by resolution or ordinance, to 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 priority:

- **Make Oakland a Safe City** by improving the perception of safety.
- **Improve Oakland Neighborhoods** by reducing blight and nuisance.

FISCAL IMPACTS

The estimated cost to install the "No Parking/Tow Away" signs is \$1,800. Funds are available in the State Gas Tax Fund (2230), under the Transportation Services/Traffic Maintenance Organization (30247), in the Miscellaneous Building Supplies Account (52519).

The implementation of this program may generate small amounts of revenue through payment of the "vehicle release fee" by vehicle owners who have had their vehicles towed.

Item #: 8
Public Works Committee
12/9/2003

BACKGROUND

The Transportation Services Division (TSD) considers prohibiting the parking of commercial vehicles and unattached trailers in residential neighborhoods to address safety, blight, and quality of life. There have been a number of commercial "big rigs" parked on 81st Avenue. While these vehicles may be cited, they cannot be towed absent the posting of signs. Some members of the community have expressed the opinion that the owners of these "big rigs" seem to pay the citations, knowing that they cannot be towed, in blatant disregard for the law and the residents.

KEY ISSUES AND IMPACTS

By changing the enforcement policy from citation to tow away, violating vehicles may be removed immediately. The "no parking" policy will likely be regarded more seriously.

SUSTAINABLE OPPORTUNITIES

Economic: The proposed "No Parking/Tow Away" policy will potentially generate a small amount of revenue for the City through the payment of the "release fee" by the owners of the towed vehicles.

Environmental: The proposed "No Parking/Tow Away" policy will more effectively prohibit large trucks from parking in a residential neighborhood.

Social Equity: There is no direct impact on social equity from the proposed policy.

DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct impact on disability or senior citizen access from the proposed policy.

RECOMMENDATION AND RATIONALE

Based on the facts stated in this report, staff recommends approval of the resolution for the installation of signs and the creation of a "No Parking/Tow Away—Commercial Vehicles Over 10,000 Pounds or Unattached Trailers" Zone on 81st Avenue between Plymouth Avenue and Bancroft Avenue.

ACTION REQUESTED OF THE CITY COUNCIL

Approve resolution for installation of signs and the creation of a “No Parking/Tow Away-Commercial Vehicles over 10,000 Pounds or Unattached Trailers” Zone on 81st Avenue between Plymouth Avenue and Bancroft Avenue.

Respectfully submitted,



CLAUDETTE R. FORD
Director, Public Works Agency

Reviewed by:
Raul Godinez II, P.E.
Assistant Director, Public Works Agency

Prepared by:
Andre Wright
Assistant Transportation Engineer

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:


OFFICE OF THE CITY MANAGER

OAKLAND CITY COUNCIL

Resolution No. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

Reed V. Dierra

OFFICE OF THE CITY CLERK
2003 NOV 25 AM 9:08

RESOLUTION APPROVING THE INSTALLATION OF SIGNS AND THE CREATION OF A "NO PARKING/TOW AWAY—COMMERCIALVEHICLES OVER 10,000 POUNDS OR UNATTACHED TRAILERS" ZONE ON 81ST AVENUE BETWEEN PLYMOUTH AVENUE AND BANCROFT AVENUE.

WHEREAS, O.M.C. Section: 10.28.120 enables the Transportation Services Division to prohibit the parking of any truck, tractor, trailer, or other commercial vehicles weighing over 10,000 pounds in residential districts; and

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

WHEREAS, there has been a blatant disregard for the existing "No Parking" policy, especially at night when enforcement is lax; and

WHEREAS, the vehicles illegally parked along 81st Avenue have been a nuisance and blight to residents; 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; now, therefore, be it

RESOLVED: That the conversion of the existing "No Parking" zone on 81st Avenue between Plymouth Avenue and Bancroft Avenue to a "No Parking/Tow Away" zone 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 –

8
PUBLIC WORKS CMTE
DEC 9 2003

ATTEST: _____

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