

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 FEB -7 PM 6:04

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Community and Economic Development Agency
DATE: February 19, 2008

RE: Adopt an Ordinance Amending Ordinance 12809 C.M.S. (Master Fee Schedule) as Amended, to Establish Permit Fees Assessed by the Parking Division for the "Interim Mixed-Use Permit Parking Program for the Jack London District," at the Amount of \$150 for the First Year of the Temporary Three-Year Program; and Adopt an Ordinance Amending Oakland Municipal Code Section 10.45.050 with the streets and boundaries of the Program

SUMMARY

The Oakland City Council, on December 18, 2007, adopted Ordinance 12847 C.M.S., adding Chapter 10.45 of the Oakland Municipal Code, entitled "Interim Mixed-Use Permit Parking Program for the Jack London District." With this action, the City created a temporary, three-year preferential parking program (Program) for the Jack London District (JLD), which will be administered by the City's Parking Division. Permits will be sold by the Division to residents, employees and employers in this area for \$150 from April, 2008 to June, 2009, entitling the bearer to park at a specially marked street-side parking space, between the hours of 8a.m. to 6p.m. when a space is available. The permit program regulates approximately 1,000 parking spaces inside the approved boundaries; without a permit, the public is allowed to park at these spaces for four hours, after which they will be issued a ticket.

This staff report covers both "enabling" legislative actions which implement the new permit parking program:

1. Ordinance amending the City's Master Fee Schedule (as amended under Ordinance 12809 C.M.S.) to include the new fees associated with the Jack London permit parking program.
2. Ordinance amending Oakland Municipal Code Section 10.54.050, establishing the boundaries and the locations of limited parking signs of the temporary, three-year preferential parking permit program, in the area bounded by Embarcadero to Fifth Street, and from Brush Street to Oak Street, pursuant to California Vehicle Code 22507 and Oakland Municipal Code Section 10.44.

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FISCAL IMPACT

Based on informal surveys conducted of Jack London Square residents, it is estimated that 1,000 parking permits can be sold if the annual cost is \$150. The resulting \$150,000 in revenue would be just sufficient to cover annual program costs. Therefore, the impact of the interim parking program is estimated to be cost-neutral.

After each year of the three-year program, staff will determine whether the program has in fact been cost-neutral, and recommend any necessary changes to the Master Fee Schedule, or other changes, to achieve cost-neutrality.

Appropriation of necessary expenditures and revenue for Fiscal Year 2007-08 is made in the Master Fee Schedule Ordinance, the subject of this report. An expenditure appropriation of \$64,689 is needed so that vehicles and other equipment can be purchased, and staff can be hired for the period of April 1-June 30, 2008. This appropriation will be made to the General Purpose Fund (1010), Parking Division Org (08941), project to be determined.

A revenue appropriation will be made for \$150,000 in the General Purpose Fund (1010), Treasury Org (08721), project to be determined. Additional adjustments will be made in the Fiscal Year 2008-09 Midcycle Budget, as needed.

BACKGROUND

The process which led to the creation of this JLD permit parking program began in late 2006. A full discussion of the creation of the program and the negotiations that led to its refinement can be found in the attached staff reports:

- Attachment A: Agenda Report, dated October 16, 2007
- Attachment B: Supplemental Agenda Report, dated November 6, 2007

Staff was directed in the November 6, 2007 Agenda Report, to return to Council after adoption of the Program on December 18, 2007, with two implementing actions, which are the subject of this report:

“First, staff would return to Council with a resolution to amend the Master Fee Schedule to incorporate the permit fees established. And second, staff would return to Council with a resolution to implement new parking limits on currently unrestricted streets in the Mixed-Use Parking Permit Program for the Jack London District, listing each street affected, and codifying the fines authorized for violations of the time limit restrictions by non-permit holders, in order to make sufficient parking available for permit holders.”

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The adopted boundaries of the program are roughly: Fifth Street to Embarcadero, Brush Street to Oak Street. While a detailed map of the program is included in section 10.45.050 of the adopted Ordinance 12847 C.M.S., an updated map is added to the Oakland Municipal Code in the concurrent Ordinance; the concurrent Ordinance also lists the exact streets where the Program's signs will be placed. Staff determined that an ordinance, rather than the resolution called for in the November Agenda Report, was necessary to codify the locations of the enforcement signs of the Program.

At the direction of the Rules Committee at their meeting on January 24, 2008, these two ordinances are being heard concurrently at the February 19, 2008 City Council meeting, bypassing a hearing at the Finance or CED committees.

KEY ISSUES AND IMPACTS

Costs of Program: The revised Attachment B of the supplemental Agenda Report of November 6, 2007 (included as Attachment B to this report) itemized Program costs into two categories: one-time hard costs of approximately \$34,500 (to purchase the Enforcement Vehicle, radio and GPS system); and on-going, annual costs of approximately \$131,020, (to pay for staff, administration and maintenance). First year costs are estimated to be \$142,520, which amortizes the cost of the one-time hard costs over the three years. The total program costs are estimated to be \$439,500, which includes a three percent (3%) annual cost of living adjustment in years two and three of the program.

The cost analysis in the November Agenda Report determined that if the fee is based on 1,000 permits being sold, then the annual amount of the fee would be \$166. The Jack London District Association (JLDA) requested that the first year fee be as close to \$150 as feasible. After considering comments from the Jack London District Association following introduction of the November Agenda Report, it was determined that a \$150 fee was appropriate for the first year's fee, which would cover both one-time hard costs and on-going costs in the first year. In an effort to maintain the "cost neutrality" of the Program, the Council will, if necessary, amend the Master Fee Schedule in years two and three of the Program, based on data about actual costs and participation in the Program. The Parking Division of the Finance and Management Agency will collect and analyze the Program's first year participation rates and actual costs (May 1, 2008 to June 30, 2009), and, for the second and third years of the Program, will recommend to Council a fee which is cost neutral.

Notification: The City of Oakland noticed the February 19, 2008 public hearing in the February 2nd, 2008 Oakland *Tribune*. The Jack London District Association informed area residents, businesses and employees of the upcoming annual fee of \$150 through a variety of communication tools: an email to Association mailing list recipients and to members of the

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South of Nimitz Improvement Corp. (SoNIC); announcements on November 6, 2007 and February 1, 2008 on their website, www.jlda.org; and in their February newsletter, which was distributed to area businesses and residents, through the Condominium Homeowner Associations and management offices. These notices and articles explain that the fee will be in place starting in April, 2008, and that the Council is taking up the issue on February 19, 2008, which gives residents, employees and business owners the opportunity to testify before the Council vote.

PROGRAM DESCRIPTION

The Jack London District Permit Parking Program has been established by Council. These two ordinances implement the Program by adding the fees to the Master Fee Schedule and describing the precise locations of the limited parking signs, as well as an updated map of the Program boundaries.

SUSTAINABLE OPPORTUNITIES

Economic: This program will improve the on-street parking situation for the residents, employees, and merchants in the JLD. Provisions have been included in the ordinance to monitor parking patterns and assure that permit fees cover the costs of the program.

Environmental: No direct environmental opportunities are contained in this report. However, driving patterns for surrounding employees may change because 1,000 free parking spaces will no longer be available. Some of these drivers may switch to mass transit conveyances or nonpolluting means of transportation (walking, bicycling).

Social Equity: This program improves the parking accessibility for the people who live or work within the JLD boundary that are eligible to purchase parking permits, and restricts long-term parking for those people outside the boundary who are ineligible to purchase permits. The boundary was established by the JLDA in conjunction with representatives from the Chinatown business community.

DISABILITY AND SENIOR CITIZEN ACCESS

No changes to disability or senior citizen access are projected as the result of this program.

RECOMMENDATION(S) AND RATIONALE

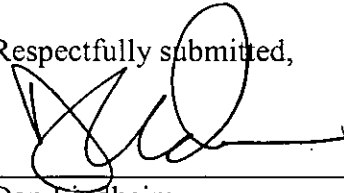
Staff recommends that Council adopt the two ordinances: 1) Creating fees in the Master Fee Schedule and 2) Creating the boundaries for the Program area.

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ACTION REQUESTED OF THE CITY COUNCIL

1. To introduce for first reading an Ordinance creating fees in the Master Fee Schedule of \$150 in the first year of the Program.
2. To introduce for first reading an Ordinance that sets the boundaries of the new Parking Program District.

Respectfully submitted,

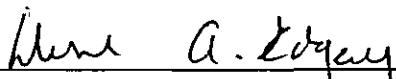


Dan Lindheim
Director, Community and Economic
Development Agency

Reviewed by:
Eric Angstadt, Interim Strategic Planning Manager

Prepared by:
Devan Reiff, AICP, Planner II
Strategic Planning Division

APPROVED AND FORWARDED TO THE
CITY COUNCIL:



Office of the City Administrator

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February 19, 2008

CITY OF OAKLAND
AGENDA REPORTFILED
OFFICE OF THE CITY CLERK
OAKLAND
2007 OCT -4 PM 5:48

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Community and Economic Development Agency
DATE: October 16, 2007

RE: **An Ordinance to Establish an Interim Mixed-Used Permit-Parking Program for the Jack London District (JLD) and a Recommendation to Amend the Master Fee Schedule to Establish a Fee of \$144 Annually for each JLD Permit**

SUMMARY

In June 2007, the Finance and Management Committee directed staff to prepare an ordinance establishing a three year interim parking permit program for the Jack London District (JLD) and setting an annual fee that would result in a cost neutral program.

The proposed mixed-use permit-parking program is a temporary measure for the pending closure of the Amtrak parking lot, which is the site for a parking garage scheduled to open in 2009. The program establishes the mixed use parking permit system that gives any permit holder the opportunity, but not the exclusive right, to use available on street parking without time restrictions. Two hour and four hour time limited parking restrictions will also be instituted for approximately 1,000 currently unrestricted on street parking spaces in the area bounded by Brush Street, Embarcadero, Oak Street and a portion of Fifth Street (please refer to Attachment A for boundaries.) Representatives from the JLD are concerned about the potential increase in on-street parking demand during the lot closure. The ordinance that has been prepared establishes a permit parking program for a limited time. Staff has prepared three fee structure options that would result in cost neutrality. The cost differences between the options are based on assumptions about how many annual permits will be sold and how the hard costs are amortized over the three year period.

This program is a specific and temporary response to conditions in the Jack London District and should not be construed as a program to be used for future mixed-use, permit-parking programs citywide. Should the Council wish to have other mixed-use permit parking programs, staff recommends a broader study of the issue, with appropriate stakeholder groups, be undertaken to design a permit parking model for other areas of the City.

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FISCAL IMPACTS

Staff has presented a cost range for the parking permits, based on assumptions regarding how many permits are sold, which in part is a function of how much the permits cost. In addition, the options presented incorporate different methods of how to account for the one time costs, such as a new parking vehicle, are amortized over the three year period. All permit cost options result in a cost neutrality, and cover the cost entire cost of the program, including implementation, administration, enforcement, and termination. The specific options are presented in the key issues section of this staff report.

As with the City's residential parking permit program, the Finance and Management Agency will collect funds and issue permits. Funds will be deposited in Fund 1010 Org 08721 Acct #42416.

BACKGROUND

The most recent request to implement a mixed-use, permit-parking program in the JLD was made to staff in late 2006. Several informational reports were presented to the Finance and Management Committee, and a mediation process was completed between the JLD representatives and the Chinatown area representatives concerning the geographic parameters of the proposal and what spaces would be omitted from the permit parking plan. The proposal (Attachment A) now before the City Council has the agreement of both groups.

PROGRAM DESCRIPTION

The proposed JLD program would convert approximately 1,000 of the currently unregulated parking spaces to have four-hour parking limits with an exception given to vehicles displaying a valid parking permit. A vehicle displaying a permit may be parked beyond the four-hour limit but is not exempt from other parking restrictions such as painted curbs, parking meters, street sweeping hours, etc. Only residents, employees, and merchants within the defined permit-parking area will be eligible to purchase permits on an annual basis. The program is a temporary relief measure to compensate for the pending closure of the Amtrak parking lot during construction of a parking garage that will supply more spaces as part of the Jack London Redevelopment Project. The program will end in three years and be funded entirely by the cost of the permits.

As illustrated in Attachment A, in addition to permit parking (streets marked in green), there will be one/two-hour parking zones without permit exemption (marked in yellow) and four-hour parking zones without permit exemption (marked in purple) to facilitate high parking turnover in front of businesses with short-term parking needs. The permit parking zone within which permits are eligible for sale is delineated by red lines. The ordinance includes provisions for annual monitoring to assure the permit program is working and to review actual costs v. permit revenues.

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KEY ISSUES AND IMPACTS

Need for the Program. This program was proposed by JLD representatives as temporary relief to the pending Amtrak parking lot closure. Closure of that parking lot will increase on-street parking demand. In addition, there is an increasing demand for parking as the result of new residential development and retail in the JLD area. The increased demand from transit riders for on-street parking would have a detrimental impact on retail businesses in the area during the time the new Amtrak parking facility is under construction.

In addition to the immediate need as the result of the Amtrak lot closure, both staff and the JLD representatives see the establishment of time limited restrictions as the first step in an overall parking management program for the area. Commuters and employees from surrounding areas of downtown now park all day at no cost in the approximately 1,200 unrestricted spaces. This program will eliminate much of this unrestricted parking, thereby freeing up more spaces and increasing parking turnover in the District. Staff notes, however, that until the permit program is established, the City begins to monitor the number of permits sold, and the resulting new parking patterns, it is unknown whether this program will have a positive impact on short-term parking supply for shoppers and clients.

Fee Structure Options. Program costs are divided into two categories: one time (hard costs) of approximately \$ 104,500 and on-going, annual costs of approximately \$ 94,400 (please refer to Attachment B – Estimated Permit Parking Costs). For the three year period, total program costs are estimated at \$ 396,199, including a small annual cost of living adjustment in year two and three of 3 percent per year. Two questions for the Council to consider are whether to amortize the one time costs over the three years and, with regard to the permits that may be sold, what number to use as the divisor.

From staff's perspective, amortizing the one time costs over the three year period will distribute costs more equitably, thus keeping the total permit amount fairly even. As a base to compare permit costs, staff has included the calculations showing the one time costs being covered in the first year of the program. As to the number of permits that will be sold, the variables are the number of people interested and the actual permit cost. An informal survey conducted by the JLD representatives earlier this year showed an estimated sale of 600 permits (approximately 60 percent of the 1,000 eligible parking spaces.) The JLDA provided an estimate of permit demand between 1,100 and 1,600 based on an estimated price of \$100 to \$125 per permit. Given that the estimated permit amount is now above the original estimates, staff believes it is prudent to assume the annual number of permits at between 800-900. Staff will submit a status report to the City Council at the end of one year of full operation to ensure that this assumption is valid and the permit fee does not need to be adjusted. A \$ 144 permit fee (based on 900 permits sold/year) appears to be an appropriate amount to start the program. Once the City Council agrees on a fee structure, staff will prepare the necessary legislation to amend the Master Fee Schedule, to be introduced upon second reading of the enacting ordinance.

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Table 1: Estimated Annual Cost of Parking Permits – Jack London District

Annual and Fixed Costs/Year	Number of permits 400/cost	500/cost	600/cost	700/cost	800/cost	900/cost	1000/cost
Year 1 \$94,400 operating cost \$ 34,833 one time cost amortized over 3 years \$ 129,233 total	\$ 323	\$ 259	\$ 216	\$ 185	\$ 162	\$ 144	\$ 130
If entire one time cost recovered during Year 1 \$ 198,900 total	\$ 498	\$ 398	\$ 332	\$ 284	\$ 248	\$ 221	\$ 199
Year 2 \$97,200 operating \$ 34,833 one time cost amortized over 3 years \$ 132,033 total	\$ 330	\$ 264	\$ 220	\$ 189	\$ 165	\$ 147	\$ 132
Year 3 \$100,100 operating cost \$ 34,833 one time cost amortized over 3 years \$ 134,933 total	\$ 338	\$ 270	\$ 225	\$ 193	\$ 169	\$ 150	\$ 135

Application of the Program Only to the JLD. Findings have been included in the draft ordinance that establish the intention of this program as an interim, time-limited step due to the unique circumstances within the JLD. A provision is also included to terminate the program in three years. Staff recommends that this program not be used as a model for other areas of the City.

The California Vehicle Code allows local authorities to implement mixed-use permit-parking programs. Unlike the City's existing Residential Permit-Parking Program, where residents can petition to be included in a permit-parking zone, a mixed-use permit program for a large commercial/residential community will offer far less flexibility to individual citizens as to who is included in the program. If the Council wishes to pursue this type of program in other areas, staff recommends that a committee of business and community leaders, representing various areas and interests, be convened to explore the issues, such as which areas in Oakland would qualify for such a program, how eligibility would be determined and what level of community support would be required to establish a mixed-use permit program. Staff from the Community and Economic Development Agency, the Public Works Agency and the Finance and Management Agency should be included as technical resources.

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SUSTAINABLE OPPORTUNITIES

Economic: This program will improve the on-street parking situation for the residents, employees, and merchants in the JLD. It is not known whether it will improve or worsen short-term parking for shoppers and clients. Provisions have been included in the ordinance to monitor parking patterns and assure that permit fees cover the costs of the program.

Environmental: No direct environmental opportunities are contained in this report. However, driving patterns for surrounding employees may change because 1,000 free parking spaces will no longer be available. Some of these drivers may switch to mass transit conveyances or non-polluting means (walking, bicycling).

Social Equity: This program improves the parking accessibility for members who live or work within the JLD boundary that are eligible to purchase permits and restricts long-term parking for those outside the boundary who are ineligible to purchase permits. The boundary was established by the JLDA in conjunction with representatives from the Chinatown business community.

DISABILITY AND SENIOR CITIZEN ACCESS

No changes to disability or senior citizen access are projected as the result of this program.


RECOMMENDATION AND RATIONALE

Staff recommends Council adopt the ordinance to implement a temporary mixed-use permit parking program in the Jack London District as outlined in the staff report using the boundaries contained in Attachment A; reiterate that this is a temporary measure in response to the closure of the Amtrak parking lot and further direct that this program not be used as a model for other areas of the City.

ACTION REQUESTED OF THE CITY COUNCIL

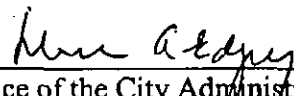
1. To introduce for first reading an Ordinance Adding Chapter 10.45 to the Oakland Municipal Code Entitled "Interim Mixed Use Permit Parking Program for the Jack London District for a Period not to Exceed Three Years from the Date of Adoption."
2. To approve the \$144 annual permit fee based on the sale of 900 permits from Table 1 and to direct staff to bring back legislation amending the Master Fee Schedule.

Respectfully submitted,



Claudia Cappio
Director, Community and
Economic Development Agency

APPROVED AND FORWARDED TO THE
CITY COUNCIL:

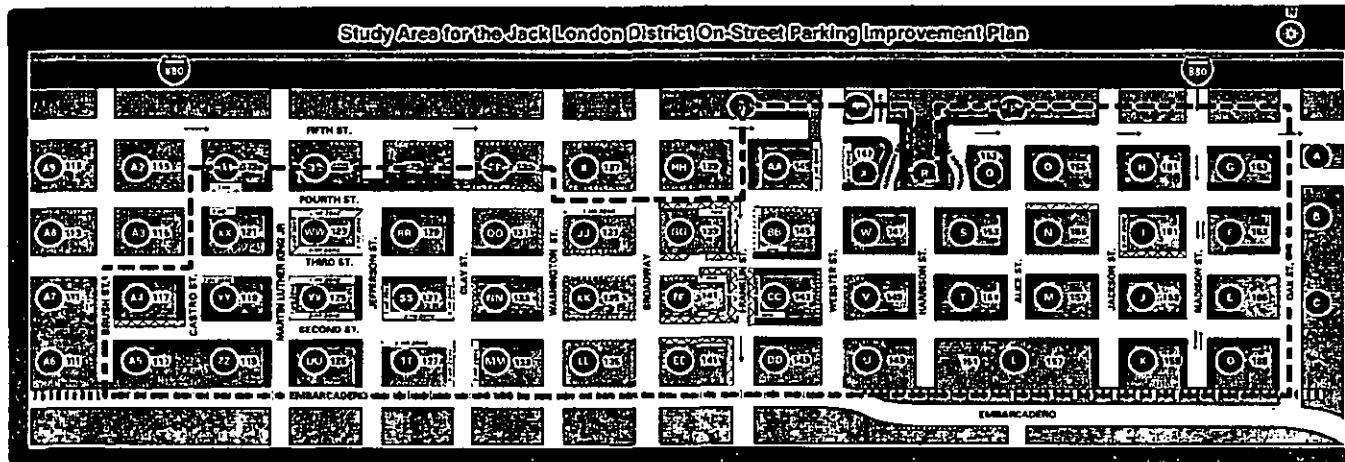


Office of the City Administrator

Attachments:
Draft Ordinance
Attachment A - Parking Permit Program Map
Attachment B - Information on one time and annual program costs

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JACK LONDON DISTRICT MAP: PROPOSED TIME-LIMITED PARKING ZONES AND PROPOSED MIXED USE DISTRICT PERMIT PARKING (as of 11/30/2006)




SUMMARY OF JLDA's PERMIT PARKING PROGRAM PROPOSAL

1. Within the boundary of the proposed Mixed-Use District Permit Parking Program (dashed red line), wherever curb and gutter has been installed and parking is currently unregulated by meters or signs, JLDA proposes that the City install signs indicating that this is a time-limited parking zone.
2. Wherever parking is currently unregulated by meters or signs, JLDA proposes the City install signs indicating a default time limit of 4-hour parking (green line); apparently this was approved June 1, 2004 by City Council (Agenda Item S-22) but has never been implemented.
3. JLDA proposes that business owners and residents in the district be eligible to purchase parking permits to exempt vehicles from posted 4-hour time limits. Vehicles would not be exempted from parking meter, painted curb, or street sweeping violations, or from 1-hour and 2-hour parking zones.
4. JLDA proposes new 1-hour and 2-hour parking zones be installed wherever a majority of existing restaurants, retailers, and other businesses request them. Several blocks are shown on the map where discussions have already taken place (yellow line). Others may be requested and should be considered on a case by case basis.

KEY: TIME-LIMITED PARKING & PERMIT PARKING PROGRAM

-  Existing Time-Limited Parking Zones
-  Existing Parking Meters
-  Proposed New 1-HR & 2-HR Parking Zones (Permit Parking Prohibited)
-  Proposed New 4-HR Parking Zones (Permit Parking Permitted)
-  Proposed Boundary of Mixed-Use District Permit Parking Program

ATTACHMENT B

	City of Oakland
Parking Division	
JACK LONDON DISTRICT PERMIT PARKING ESTIMATED COSTS	

Description	Cost
<u>ONE-TIME COSTS</u>	
1 Enforcement Vehicle	\$ 31,000
1 Radio for Parking Control Technician	\$ 2,500
1 Global Positioning System (GPS) for Parking Enforcement Vehicle	\$ 1,000
SUB-TOTAL	\$ 34,500
<u>ONGOING COSTS</u>	
.5 FTE Public Service Representative	\$ 36,666.00
1 FTE Parking Control Technician	\$ 69,192.00
Admin. Cost (approx. 3 hours / day for 2 months)	\$ 4,800
Parking Enforcement Supervisor (approx. 3 hours per week)	\$ 5,463
Annual Vehicles Maintenance	\$ 6,395.00
Application materials, Permits, postage	\$ 3,000.00
Distribution to Alameda County-\$5 / tkt pd (court, jail & state fund)	\$ 5,000.00
Annual GPS service fee	\$ 504.00
SUB-TOTAL	\$ 94,354.12
TOTAL COSTS	\$ 131,020.12

**JACK LONDON SQUARE DISTRICT PERMIT PARKING PROGRAM
SIGNAGE AND STREET MARKING COSTS**

Sign Installation and Removal (materials and labor): \$ 66,800

Field Check and Plan Preparation: \$ 3,200

TOTAL: \$ 70,000

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OAKLAND

AGENDA REPORT

2007 NOV -1 PM 2: 03

TO: Office of the City Administrator
 ATTN: Deborah Edgerly
 FROM: Community and Economic Development Agency
 DATE: November 6, 2007

RE: **A Supplemental Report Regarding an Ordinance to Establish a Temporary, Three Year Mixed-Used Preferential Permit-Parking Program for the Jack London District (JLD) and a Recommendation to Amend the Master Fee Schedule to Establish a Fee of \$166 Annually for each JLD Permit**

SUMMARY

This supplemental report corrects an attachment to the report on the proposed mixed use parking program for the Jack London District (JLD). It also addresses questions that have been received concerning the use of revenue from parking tickets to fund the program and therefore underwrite the costs of the annual parking permit fee, and presents a minor language change regarding when the ordinance would become effective. Another option for folding this program into the larger permit parking program is also identified, once an analysis of actual costs of program administration is completed. The City Council had previously directed staff to initiate such an evaluation as part of the mid-cycle budget review.

FISCAL IMPACTS

Staff has presented a cost range for the parking permits, based on assumptions regarding how many permits are sold, which in part is a function of how much the permits cost. In addition, the options presented incorporate different methods of how the one time costs, such as a new parking control vehicle, are amortized over the three year period. All permit cost options result in a cost neutrality and cover the entire cost of the program, including implementation, administration, enforcement, and termination. The specific options are presented in the key issues section of this staff report. The supplemental report corrects Attachment B to the original report, the Jack London Permit Parking Estimated Costs.

KEY ISSUES AND IMPACTS

Fee Structure Correction. Program costs are divided into two categories: one time (hard costs) of approximately \$ 104,500 and on-going, annual costs of approximately \$ 131,020, not \$ 94,400 as

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originally reported (please refer to Revised Attachment B – Estimated Permit Parking Costs). Therefore, for the three year period, total program costs are estimated at \$ 235,520, including a three percent annual cost of living adjustment in years two and three of the program. The corrected annual operating costs change the proposed initial annual parking permit fee from \$ 144 permit fee (based on 900 permits sold/year) to \$ 184. If the fee is based on 1000 permits being sold, then the annual amount would be \$ 166. The Jack London District Association (JLDA) has requested that the first year fee be as close to \$ 150 as feasible. If the Council decides to base the fee on the 1000 permit baseline, then the two succeeding years may need a larger fee hike in order for the three year program to remain cost neutral. The corrected table with the projected new fees/year is presented below. Progressive baseline permit numbers have been included for comparison, along with an estimate of a one year cost recovery for the one time costs.

CORRECTED

Table 1: Estimated Annual Cost of Parking Permits – Jack London District

Annual and Fixed Costs/Year	Number of permits 400/cost	500/cost	600/cost	700/cost	800/cost	900/cost	1000/cost
Year 1 \$131,020 operating cost \$ 34,833 one time cost amortized over 3 years \$ 165,853 total	\$ 415	\$ 331	\$ 277	\$ 236	\$ 208	\$ 184	\$ 166
If entire one time cost recovered during Year 1 \$ 235,520 total	\$ 589	\$ 471	\$ 393	\$ 336	\$ 295	\$ 262	\$ 236
Year 2 \$ 170,829 operating cost \$ 34,833 one time cost amortized over 3 years \$ 205,662 total	\$ 514	\$ 412	\$ 342	\$ 294	\$ 257	\$ 228	\$ 206
Year 3 \$175,954 operating cost \$ 34,833 one time cost amortized over 3 years \$ 210,787 total	\$ 527	\$ 422	\$ 352	\$ 301	\$ 264	\$ 234	\$ 211

Use of Parking Ticket Revenue to Underwrite Parking Permit Costs. Questions have been raised by JLD representatives about whether parking ticket revenues can be used to underwrite the annual parking permit cost. First, there is an overall policy question about whether such a practice is wise given the dynamic nature of parking ticket revenues based on initial establishment, where parking ticket revenues would likely be higher, and where they would level off. Parking tickets are not used primarily as a revenue generating activity. Rather, they are intended as a disincentive in order to change the behavior of the driver.

Second, there is no specific data available based on a 1,000 parking space baseline, and therefore the parking ticket revenue would be difficult to project. The revenue assumptions also depend on the specific number of spaces that are two hour versus four hour time-limited. In the four hour zones, the parking technician will likely be able to mark the tire once, so the assumption of issuing 10 citations/day cannot be validated. For these reasons, staff cannot support the use of assumed parking ticket revenue to underwrite the costs of this temporary mixed use program. If the City Council is interested in pursuing this idea, they could direct the City Administrator to have staff complete the following actions:

- Collect data during the first year of operation to project ticket revenues. This information could be presented during the annual monitoring period when the number of permits sold is also reviewed.
- As part of the overall evaluation of the City's permit parking program, the parking ticket revenue could also be assessed and incorporated into some of the annual fee alternatives.

Ordinance Provision Regarding Date of Effectiveness of the Program. The original draft of the ordinance contains a three year time limit, starting the date that the ordinance becomes effective. The JLD representatives have suggested that the effectiveness date be changed to when the actual parking permit program becomes operational. Staff suggests that in order to clearly establish a specific start and end date, that a 120 day lag be incorporated into the language as well. This change results in the following language shown in strikethrough and underline; this revision has been incorporated into the updated proposed ordinance:

Section 10.45.140

This ordinance shall terminate and become null and void ~~from the date~~ three years after it becomes effective. The effective date of the ordinance shall be 120 days after adoption.

Ordinance Provision Regarding Required Findings Under State Law. Staff have been advised of express language that should be included in the ordinance to conform with California Vehicle Code § 22507, which requires that local authorities find that a preferential parking program not adversely affect parking conditions for residents and merchants in the area. The final Whereas paragraph of the updated proposed ordinance has had the required language added, as shown here in underline:

WHEREAS, the City Council affirms that the public safety, health, convenience, prosperity, and general welfare will be furthered by the establishment of the three year mixed use parking permit program so that there is an agreed upon solution to the temporary problem of increased demand for a limited number of on-street spaces used by residents, employees and visitors of the Jack London District; and the Council finds that the Interim Mixed Use Parking Permit Program for the Jack London District will not adversely affect parking conditions for residents and merchants in the area; now, therefore

Additional legislative action required to facilitate program implementation. Should the proposed ordinance be enacted, two additional steps will be asked of the Council during the period of up to

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November 6, 2007

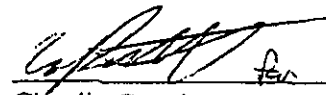
120 days after initial enactment but prior to the program effective date, as described in Section 10.45.140. First, staff would return to Council with a resolution to amend the Master Fee Schedule to incorporate the permit fees established. And second, staff would return to Council with a resolution to implement new parking limits on currently unrestricted streets in the Mixed Use Parking Permit Program for the Jack London District, listing each street affected, , and codifying the fines authorized for violations of the time limit restrictions by non-permit holders, in order to make sufficient parking available for permit holders.

Staff have been advised that Sunshine Ordinance compliance dictates that these required additional actions cannot be taken in the proposed legislation before you now.

ACTION REQUESTED OF THE CITY COUNCIL

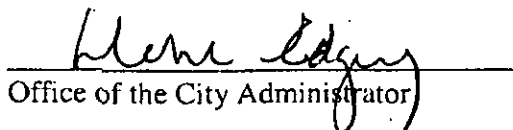
To consider the corrections to the program costs, parking permit fees and minor language change to the ordinances, and to direct staff to return after enactment to obtain Council authorization to amend the Master Fee Schedule and to codify the street range and fines for violations under the program.

Respectfully submitted,



Claudia Cappio
Development Director
Community and Economic Development
Agency

APPROVED AND FORWARDED TO THE
CITY COUNCIL:




Office of the City Administrator

Attachment:

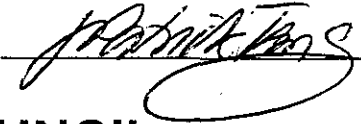
Revised Attachment B – Corrected information on one time and annual program costs

Item: _____
City Council
November 6, 2007

	City of Oakland
Parking Division	
JACK LONDON DISTRICT PERMIT PARKING ESTIMATED COSTS	

Description	Cost
ONE-TIME COSTS	
1 Enforcement Vehicle	\$ 31,000
1 Radio for Parking Control Technician	\$ 2,500
1 Global Positioning System (GPS) for Parking Enforcement Vehicle	\$ 1,000
SUB-TOTAL	
	\$ 34,500
ONGOING COSTS	
.5 FTE Public Service Representative	\$ 36,666
1 FTE Parking Control Technician	\$ 69,192
Admin. Cost (approx. 3 hours / day for 2 months)	\$ 4,800
Parking Enforcement Supervisor (approx. 3 hours per week)	\$ 5,463
Annual Vehicles Maintenance	\$ 6,395
Application materials, Permits, postage	\$ 3,000
Distribution to Alameda County-\$5 / tkt pd (court, jail & state fund)	\$ 5,000
Annual GPS service fee	\$ 504
SUB-TOTAL	
	\$ 131,020
TOTAL One Time & Ongoing Costs	\$ 165,520

FILED
OFFICE OF THE CITY CLERK
OAKLAND


City Attorney

2008 FEB -7 PM 6:25

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER NANCY J. NADEL

**ORDINANCE AMENDING OAKLAND MUNICIPAL CODE 10.45
ESTABLISHING BOUNDARIES OF THE JACK LONDON DISTRICT
INTERIM MIXED-USE PERMIT PARKING PROGRAM THROUGH THE
LOCATION OF PARKING LIMITATION SIGNS AND THE INCLUSION OF
A MAP WITH BOUNDARIES OF THE PROGRAM**

WHEREAS, the Oakland City Council, on December 18, 2007, adopted Ordinance 12847 C.M.S., adding Chapter 10.45 of the Oakland Municipal Code, entitled "Interim Mixed-Use Permit Parking Program for the Jack London District;" and

WHEREAS, enacting the new Permit Parking Program requires separate action by the Council, amending Chapter 10.45.50 of the Oakland Municipal Code to describe the location of parking limitation signs and adopting, as part of the Code, a new map with boundaries of the program; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 10.45.50 of the Oakland Municipal Code, adopted by City Council on December 18, 2007, is hereby amended to read as follows:

10.45.50 Jack London District Designated Mixed Used Permit Parking Area

This section hereby designates the Jack London District Designated Mixed Use Permit Parking Area, as set forth in Exhibit A to this ordinance, for a period not to exceed three years from the effective date of the ordinance. The effective date of the ordinance shall be defined as either the date of program implementation or not later than 120 days after adoption, whichever occurs first.

The streets or portions of streets where signs will be posted limiting parking to four hours from Monday to Friday, 8:00 a.m. to 6:00 p.m., with exemption to the four-hour limit given to vehicles displaying a Jack London District Mixed Used Parking Permit, are:

STREET	FROM	TO	ON
Fourth Street	Castro Street	Martin Luther King Jr. Way	Both sides of street
Fourth Street	Martin Luther King Jr. Way	Jefferson Street	North side of street
Fourth Street	Jefferson Street	Clay Street	Both sides of street
Fourth Street	Alice Street	Jackson Street	South side of street
Fourth Street	Jackson Street	Oak Street	Both sides of street
Third Street	Brush Street	Martin Luther King Jr. Way	South side of street
Third Street	Jefferson Street	Clay Street	South side of street
Third Street	Clay Street	Washington Street	Both sides of street
Third Street	Franklin Street	Alice Street	Both sides of street
Third Street	Alice Street	Madison Street	South side of street
Third Street	Madison Street	Oak Street	North side of street
Second Street	Brush Street	Martin Luther King Jr. Way	Both sides of street
Second Street	Martin Luther King Jr. Way	Jefferson Street	South side of street
Second Street	Clay Street	Washington Street	Both sides of street
Second Street	Franklin Street	Harrison Street	Both sides of street
Second Street	Harrison Street	Alice Street	North side of street
Second Street	Alice Street	Oak Street	Both sides of street
Brush Street	Third Street	Embarcadero	East side of street
Castro Street	Fifth Street	Third Street	East side of street
Castro Street	Third Street	Second Street	Both sides of street
Martin Luther King Jr. Way	Fifth Street	Fourth Street	Both sides of street
Martin Luther King Jr. Way	Fourth Street	Second Street	West side of street
Martin Luther King Jr. Way	Second Street	Embarcadero	Both sides of street
Jefferson Street	Fourth Street	Third Street	East side of street
Jefferson Street	Third Street	Second Street	West side of street
Jefferson Street	Second Street	Embarcadero	Both sides of street
Clay Street	Fourth Street	Third Street	West side of street
Webster Street	Fourth Street	Third Street	Both sides of street
Harrison Street	Fourth Street	Second Street	Both sides of street
Alice Street	Fourth Street	Second Street	Both sides of street
Jackson Street	Fourth Street	Third Street	West side of street
Jackson Street	Third Street	Embarcadero	Both sides of street
Madison Street	Fourth Street	Third Street	West side of street
Madison Street	Third Street	Embarcadero	Both sides of street
Oak Street	Fourth Street	Third Street	West side of street
Oak Street	Second Street	Embarcadero	West side of street

The streets or portions of streets where signs will be posted limiting parking to four hours from Monday to Friday, 8:00 a.m. to 6:00 p.m., with NO exemption to the four-hour limit given to vehicles displaying a Jack London District Mixed Used Parking Permit, are:

STREET	FROM	TO	ON
Fourth Street	Webster Street	Alice Street	Both sides of street

Section 2. Amended Map of District. Chapter 10.45.50, "Jack London District Designated Mixed Used Permit Parking Area," of the Oakland Municipal Code is hereby amended to add the attached map, "Exhibit A", dated 3/16/2007, replacing "Exhibit A", dated 11/30/2006.

Section 3. Conflicting Legislation. Except as specifically set forth herein, this ordinance suspends and supersedes all conflicting City of Oakland resolutions, ordinances, plans, codes, laws and regulations.

Section 4. Severability. If any article, section, subsection sentence, clause or phrase of this ordinance or exhibit is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of remaining portions which shall remain in full force and effect.

Section 5. Codification. This Ordinance shall be codified in the Oakland Municipal Code.

Section 6. Effective Date. This ordinance shall become effective upon adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

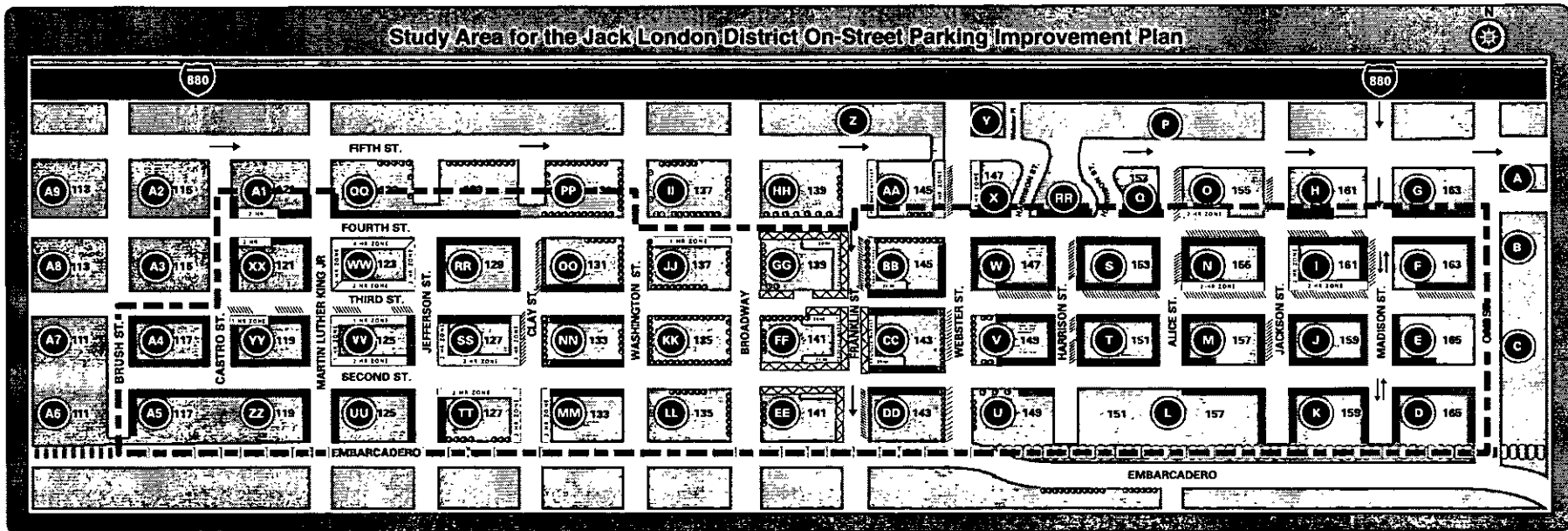
ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____







JACK LONDON DISTRICT MAP: PROPOSED TIME-LIMITED PARKING ZONES AND PROPOSED MIXED USE DISTRICT PERMIT PARKING (as of 03/16/2007)



SUMMARY OF JLDA's PERMIT PARKING PROGRAM PROPOSAL

1. Within the boundary of the proposed Mixed-Use District Permit Parking Program (dashed red line), wherever curb and gutter has been installed and parking is currently unregulated by meters or signs, JLDA proposes that the City install signs indicating that this is a time-limited parking zone.
2. Wherever parking is currently unregulated by meters or signs, JLDA proposes the City install signs indicating a default time limit of 4-hour parking (green line); apparently this was approved June 1, 2004 by City Council (Agenda Item S-22) but has never been implemented.
3. JLDA proposes that business owners and residents in the district be eligible to purchase parking permits to exempt vehicles from posted 4-hour time limits. Vehicles would not be exempted from parking meter, painted curb, or street sweeping violations, or from 1-hour and 2-hour parking zones.
4. JLDA proposes new 1-hour and 2-hour parking zones be installed wherever a majority of existing restaurants, retailers, and other businesses request them. Several blocks are shown on the map where discussions have already taken place (yellow line). Others may be requested and should be considered on a case by case basis.

KEY: TIME-LIMITED PARKING & PERMIT PARKING PROGRAM

-  Existing Time-Limited Parking Zones
-  Existing Parking Meters
-  Proposed New 1-HR & 2-HR Parking Zones (Permit Parking Prohibited)
-  Proposed New 4-HR Parking Zones (Permit Parking Allowed)
-  Proposed New 4-HR Parking Zones (Permit Parking NOT Allowed)
-  Proposed Boundary of Mixed-Use District Permit Parking Program

NOTICE AND DIGEST

ADOPT AN ORDINANCE AMENDING OAKLAND MUNICIPAL CODE 10.45 ESTABLISHING BOUNDARIES OF THE JACK LONDON DISTRICT INTERIM MIXED-USE PERMIT PARKING PROGRAM THROUGH THE LOCATION OF PARKING LIMITATION SIGNS AND THE INCLUSION OF A MAP WITH BOUNDARIES OF THE PROGRAM

An ordinance which creates the boundaries associated with the new Jack London District Permit Parking Program, adopted by the Oakland City Council on December 18, 2007. The location of all parking limitation signs and a new map of program boundaries are made part of Section 10.45.50 of the Oakland Municipal Code.

New text is underlined

Interim Mixed Use Permit Parking Program for the Jack London District

10.45.10 Legislative Purpose

The ordinance codified in this chapter is enacted in response to a severe temporary problem within the Jack London District caused by the long term parking of motor vehicles on the streets of this District. Due to historic development patterns such as lot line to lot line warehouses and the designated historic importance of the district many properties do not have off-street parking. As set forth in Section 10.44.020, such long term parking by people outside of the immediate area threatens the health, safety and welfare of the residents employees and visitors to the Jack London District. This problem is exacerbated by the pending construction of a large parking structure on the land now occupied by the Amtrak surface parking lot, thereby further decreasing the overall amount of parking available to Amtrak users during the course of the construction. It is therefore temporarily necessary to manage the existing off-street parking supply more effectively through the establishment of two and four hour time restricted parking and, at the same time, establishing a mixed use permit parking system so that residents employees and visitors to the District will be provided an opportunity to park near their residence place of business or other commercial establishment. For the reasons set forth in this chapter an interim system of mixed use permit parking shall not be applicable to any other area in the City until and unless another ordinance is enacted allowing such a system City-wide.

10.45.20 Legislative Findings

A Findings. The City Council finds as a result of evidence and public testimony generated by staff and the Jack London District Association that the continued viability of the Jack London District depends on the preservation of safe, healthy and attractive neighborhoods and commercial areas. The City Council further finds that one factor that has detracted from the safety health and attractiveness of the Jack London District is the excessive and burdensome practice of non-residents to the Jack London District parking motor vehicles for extended periods of time therein on the streets within the District. Since at any one time a large surplus of motor vehicles over the available on and off street parking spaces exists in the Jack London District due to construction activities changes in development patterns and the impending temporary loss of the Amtrak surface lot this condition temporarily detracts from a healthy and vital urban community. An interim system of mixed use permit parking will serve to reduce the number of non-residents parking in the Jack London District and thus promote the general public welfare. The system of interim mixed use parking as enacted by the ordinance codified in this chapter will serve to promote the safety and health of the residents, employees, business owners and visitors to the Jack London District by reducing vehicle travel noise and pollution promoting improvements in air quality the convenience and attractiveness

of urban residential living and the increased use of mass transit facilities available now and in the future.

10.45.030 Definitions

All definitions as used in this chapter shall reference the definitions used in Chapter 10.44.020 with the following additions:

- a. "Jack London District Designated Mixed Use Permit Parking Area" means any street upon which the City Council imposes parking limitations pursuant to the authority granted by this chapter within the Jack London District.
- b. "Employee of Business" means an employee of an enterprise or establishment used for the purpose of conducting a business located in the designated Jack London District Designated Mixed Use Permit Parking Area.

10.45.040 Permit Parking Exemption

- a. A motor vehicle on which is displayed a valid Jack London District Designated Mixed Use Parking Permit as provided for herein shall be permitted to stand or be parked within the Jack London Mixed Use Parking Permit Area for which the permit has been issued without being limited by time restrictions established pursuant to this chapter. Any motor vehicle which does not display such permit shall be subject to the Jack London District Designated Mixed Use Parking Permit regulation and consequent penalties in effect for such area.
- b. A Jack London District Designated Mixed Use Parking Permit shall not guarantee or reserve the holder thereof an off-street parking space within the Jack London District Designated Mixed Use Parking Permit Area.
- c. This chapter shall not be interpreted or applied in a manner which shall abridge or alter regulations established by authority other than this chapter.
- d. This chapter shall not exempt the permit parking holder to leave standing his or her vehicle for more than seventy-two (72) hours.

10.45.050 Jack London District Designated Mixed Use Permit Parking Area

This chapter hereby designates the Jack London District Designated Mixed Use Permit Parking Area as set forth in Exhibit A to this ordinance for a period not to exceed three years from the effective date of the ordinance. The effective date of the ordinance shall be defined as either the date of program implementation or not later than 120 days after adoption, whichever occurs first.

The streets or portions of streets where signs will be posted limiting parking to four hours from Monday to Friday, 8:00 a.m. to 6:00 p.m., with exemption to the four-hour limit given to vehicles displaying a Jack London District Mixed Used Parking Permit, are:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ON</u>
<u>Fourth Street</u>	<u>Castro Street</u>	<u>Martin Luther King Jr. Way</u>	<u>Both sides of street</u>
<u>Fourth Street</u>	<u>Martin Luther King Jr. Way</u>	<u>Jefferson Street</u>	<u>North side of street</u>
<u>Fourth Street</u>	<u>Jefferson Street</u>	<u>Clay Street</u>	<u>Both sides of street</u>
<u>Fourth Street</u>	<u>Alice Street</u>	<u>Jackson Street</u>	<u>South side of street</u>
<u>Fourth Street</u>	<u>Jackson Street</u>	<u>Oak Street</u>	<u>Both sides of street</u>
<u>Third Street</u>	<u>Brush Street</u>	<u>Martin Luther King Jr. Way</u>	<u>South side of street</u>
<u>Third Street</u>	<u>Jefferson Street</u>	<u>Clay Street</u>	<u>South side of street</u>
<u>Third Street</u>	<u>Clay Street</u>	<u>Washington Street</u>	<u>Both sides of street</u>
<u>Third Street</u>	<u>Franklin Street</u>	<u>Alice Street</u>	<u>Both sides of street</u>
<u>Third Street</u>	<u>Alice Street</u>	<u>Madison Street</u>	<u>South side of street</u>
<u>Third Street</u>	<u>Madison Street</u>	<u>Oak Street</u>	<u>North side of street</u>
<u>Second Street</u>	<u>Brush Street</u>	<u>Martin Luther King Jr. Way</u>	<u>Both sides of street</u>
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<u>Second Street</u>	<u>Clay Street</u>	<u>Washington Street</u>	<u>Both sides of street</u>
<u>Second Street</u>	<u>Franklin Street</u>	<u>Harrison Street</u>	<u>Both sides of street</u>
<u>Second Street</u>	<u>Harrison Street</u>	<u>Alice Street</u>	<u>North side of street</u>
<u>Second Street</u>	<u>Alice Street</u>	<u>Oak Street</u>	<u>Both sides of street</u>
<u>Brush Street</u>	<u>Third Street</u>	<u>Embarcadero</u>	<u>East side of street</u>
<u>Castro Street</u>	<u>Fifth Street</u>	<u>Third Street</u>	<u>East side of street</u>
<u>Castro Street</u>	<u>Third Street</u>	<u>Second Street</u>	<u>Both sides of street</u>
<u>Martin Luther King Jr. Way</u>	<u>Fifth Street</u>	<u>Fourth Street</u>	<u>Both sides of street</u>
<u>Martin Luther King Jr. Way</u>	<u>Fourth Street</u>	<u>Second Street</u>	<u>West side of street</u>
<u>Martin Luther King Jr. Way</u>	<u>Second Street</u>	<u>Embarcadero</u>	<u>Both sides of street</u>
<u>Jefferson Street</u>	<u>Fourth Street</u>	<u>Third Street</u>	<u>East side of street</u>
<u>Jefferson Street</u>	<u>Third Street</u>	<u>Second Street</u>	<u>West side of street</u>
<u>Jefferson Street</u>	<u>Second Street</u>	<u>Embarcadero</u>	<u>Both sides of street</u>
<u>Clay Street</u>	<u>Fourth Street</u>	<u>Third Street</u>	<u>West side of street</u>
<u>Webster Street</u>	<u>Fourth Street</u>	<u>Third Street</u>	<u>Both sides of street</u>
<u>Harrison Street</u>	<u>Fourth Street</u>	<u>Second Street</u>	<u>Both sides of street</u>
<u>Alice Street</u>	<u>Fourth Street</u>	<u>Second Street</u>	<u>Both sides of street</u>
<u>Jackson Street</u>	<u>Fourth Street</u>	<u>Third Street</u>	<u>West side of street</u>
<u>Jackson Street</u>	<u>Third Street</u>	<u>Embarcadero</u>	<u>Both sides of street</u>
<u>Madison Street</u>	<u>Fourth Street</u>	<u>Third Street</u>	<u>West side of street</u>
<u>Madison Street</u>	<u>Third Street</u>	<u>Embarcadero</u>	<u>Both sides of street</u>
<u>Oak Street</u>	<u>Fourth Street</u>	<u>Third Street</u>	<u>West side of street</u>
<u>Oak Street</u>	<u>Second Street</u>	<u>Embarcadero</u>	<u>West side of street</u>

The streets or portions of streets where signs will be posted limiting parking to four hours from Monday to Friday, 8:00 a.m. to 6:00 p.m., with NO exemption to the four-hour limit given to vehicles displaying a Jack London District Mixed Used Parking Permit, are:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ON</u>
Fourth Street	Webster Street	Alice Street	Both sides of street

10.45.060 Modification after Designation of the Jack London District Designated Mixed Use Permit Parking Area

The City Council may by resolution modify the existing boundaries of the Jack London District Mixed Use Permit Parking Area based upon documentation from the Traffic Engineering Services Division the Jack London District Association or other party that it is in the public interest to modify the boundary during the three year period of operation of the Jack London Mixed Use Parking Permit Program.

10.45.070 Issuance of Jack London District Mixed Use Parking Permits

- a. Jack London District mixed use parking permits shall be issued by the Finance and Management Agency in accordance with requirements set forth in this chapter. Each such permit shall be designed to state or reflect thereon identification of the Jack London District Mixed Use Parking Permit Area, as well as the license number of the motor vehicle for which it is issued. No more than one Jack London District mixed use parking permit shall be issued to each motor vehicle owned or leased for which application is made.
- b. The Finance and Management Agency shall issue Jack London District mixed use parking permits with a term of one year from the date the Jack London District Designated Mixed Use Parking Permit Area becomes effective.
- c. One Jack London District mixed use parking permit may be issued for each vehicle owned leased or under the continuing custody of any person who can demonstrate that they are currently a resident employee business owner or a representative of a neighborhood serving establishment located within the Jack London District Designated Mixed Use Parking Permit Area.
- d. Renewal of Jack London District mixed use parking permits shall be subject to the same conditions imposed on new permits.
- e. The Finance and Management Agency is authorized to issue such rules and regulations not inconsistent with this chapter governing issuance and display of Jack London District mixed use parking permits.
- f. Any person to whom a Jack London District mixed use parking permit has been issued, pursuant to this chapter, shall be deemed to be a Jack London District mixed use parking permit holder.

10.45.080 Visitor Permits

The Finance and Management Agency shall issue visitor parking permits for the Jack London District Designated Mixed Use Parking Permit Area in accordance with chapter 10.44.080 of the Oakland Municipal Code.

10.45.090 Parking Permit Fees

Initial purchase renewal replacement of lost stolen or damaged Jack London mixed use parking permits shall be subject to the fees set forth in the City of Oakland Master Fee Schedule. The fee for each visitor parking permit shall be as set forth in the City of Oakland Master Fee Schedule.

10.45.100 Posting of Jack London District Designated Mixed Use Parking Permit Area

Upon adoption of this ordinance, the Director of Public Works shall cause appropriate signs to be erected in the Jack London District Designated Mixed Use Parking Permit Area, indicating prominently thereon the time limitation, period of day for its application and conditions under which permit parking shall be exempt therefrom.

10.45.110 Revocation of Jack London District Mixed Use Parking Permit

The revocation provision set forth in Chapter 10.44.110 shall apply to the Jack London District Mixed Use Parking Permit Program.

10.45.120 Violation and Penalty

The violations and penalty provision set forth in Chapter 10.44.120 shall apply to the Jack London District Mixed Use Parking Permit Program. ,

10.45.130 Chapter Interpretation

The Community and Economic Development Agency Director or his or her designee shall have the discretion in the implementation and interpretation of this chapter.

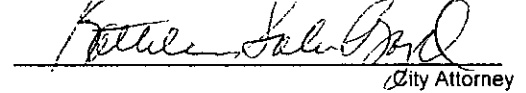
10.45.140 Three Year Time Limit

This ordinance shall terminate and become null and void three years after it becomes effective. The effective date of the ordinance shall be defined as either the date of program implementation, or not later than 120 days after adoption, whichever occurs first.

NOTICE AND DIGEST

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE 10.45 ESTABLISHING BOUNDARIES OF THE JACK LONDON DISTRICT INTERIM MIXED-USE PERMIT PARKING PROGRAM THROUGH THE LOCATION OF PARKING LIMITATION SIGNS AND THE INCLUSION OF A MAP WITH BOUNDARIES OF THE PROGRAM

An ordinance which creates the boundaries associated with the new Jack London District Permit Parking Program, adopted by the Oakland City Council on December 18, 2007. The location of all parking limitation signs and a new map of program boundaries are made part of Section 10.45.50 of the Oakland Municipal Code.



City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 FEB -7 PM 6:06

OAKLAND CITY COUNCIL**ORDINANCE No. _____ C.M.S.**

INTRODUCED BY COUNCILMEMBER NANCY J. NADEL

ADOPT AN ORDINANCE AMENDING ORDINANCE 12809 C.M.S. (MASTER FEE SCHEDULE) AS AMENDED, TO ESTABLISH PERMIT FEES ASSESSED BY THE PARKING DIVISION FOR THE "INTERIM MIXED-USE PERMIT PARKING PROGRAM FOR THE JACK LONDON DISTRICT," AT THE AMOUNT OF \$150 FOR THE FIRST YEAR OF THE TEMPORARY THREE-YEAR PROGRAM

WHEREAS, the City of Oakland periodically updates its Master Fee Schedule to account for program changes and other costs; and

WHEREAS, on December 18, 2007, the Oakland City Council adopted Ordinance 12847 C.M.S., adding Chapter 10.45 of the Oakland Municipal Code, entitled "Interim Mixed-Use Permit Parking Program for the Jack London District," to implement a temporary, three year preferential parking program; and

WHEREAS, the fee additions proposed herein have been justified by the Community and Economic Development Agency (CEDA), and are identified in an "Agenda Report" dated November 6, 2007, to Deborah Edgerly, City Administrator, entitled "A Supplemental Report Regarding an Ordinance to Establish a Temporary, Three Year Mixed-Used Preferential Permit-Parking Program for the Jack London District (JLD) and a Recommendation to Amend the Master Fee Schedule to Establish a Fee of \$166 Annually for each JLD Permit"; and

WHEREAS, CEDA Staff determined with the Jack London District Association that the first year (April 2008-June 2009) fee for a parking permit, at \$150 per year, would cover the costs of the program; and

WHEREAS, the City Council finds and determines that the herein-referenced additions to the Master Fee Schedule are necessary to reimburse the City for the costs of performing the various municipal and regulatory functions associated with collecting and administering the permit parking program in the Jack London District; and

WHEREAS, a Public Hearing was held on November 6, 2007, to review the proposed fee changes; and

WHEREAS, the Fiscal Year 2007-08 expenditure budget will be increased by sixty-four thousand six hundred eighty nine dollars (\$ 64,689), in the General Purpose Fund (1010), of the Parking Enforcement Section (08941), project to be determined, to cover one time and operational costs; and

WHEREAS, the Fiscal Year 2007-08 revenue budget will be increased by one hundred fifty thousand dollars (\$150,000), in the General Purpose Fund (1010), of the Treasury org (08721), project to be determined; and

WHEREAS, the City intends the permit parking program to be effective on April 1, 2008, with proper notification to residents and businesses inside the district during the month following that date; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The Master Fee Schedule, as set forth in Ordinance Number 12809 C.M.S., as amended, is hereby amended to modify and establish fees assessed by the City Parking Division, for the interim mixed-use permit parking program for the Jack London District, with the following language:

Parking Management

E. Jack London District

Mixed-Use Parking Permit for Eligible Vehicles of Residents, Employees of Neighborhood-Serving Establishments, and Owners or Employees of Businesses in the Jack London District Designated Mixed Used Permit Parking Area

	Fee	Unit
<u>First Year</u>		
<u>Between April 1, 2008 and June 30, 2009</u>	\$150	Vehicle
<u>Second Year</u>		
<u>Between July 1, 2009 and June 30, 2010</u>	*	Vehicle
<u>Third Year</u>		
<u>Between July 1, 2010 and June 30, 2011</u>	*	Vehicle
<u>Replacement Permit</u>	\$60	

*Fees in Years 2 and 3 of the Program will be determined by City Council after review of first year program costs and participation

Section 2. The Fiscal Year 2007-08 expenditure budget will be increased by sixty-four thousand six hundred eighty nine dollars (\$ 64,689), in the General Purpose Fund (1010), of the Parking Enforcement Section (08941), project to be determined, to cover one time and operational costs; and

The Fiscal Year 2007-08 revenue budget will be increased by sixty-four thousand six hundred eighty nine dollars (\$ 64,689), in the General Purpose Fund (1010), of the Treasury org (08721), project to be determined.

Section 3. This ordinance will be effective on April 1, 2008, upon approval of the Council of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____

NOTICE AND DIGEST

ADOPT AN ORDINANCE AMENDING ORDINANCE 12809 C.M.S. (MASTER FEE SCHEDULE) AS AMENDED, TO ESTABLISH PERMIT FEES ASSESSED BY THE PARKING DIVISION FOR THE "INTERIM MIXED-USE PERMIT PARKING PROGRAM FOR THE JACK LONDON DISTRICT," AT THE AMOUNT OF \$150 FOR THE FIRST YEAR OF THE TEMPORARY THREE-YEAR PROGRAM

An ordinance which creates fees associated with the new Jack London District Permit Parking Program, adopted by the Oakland City Council on December 18, 2007.