

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 APR 30 PM 8:09

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Department of Human Services
DATE: May 12, 2009

RE: **Request For City Council Approval Of An Ordinance Amending Oakland Municipal Code Chapter 10.32, To Add Section 10.32.160, Making It Unlawful To Park At The Downtown Oakland Senior Center/Veterans Memorial Building Parking Lot Without A Permit**

SUMMARY

The Ordinance will make it illegal for vehicles to park at the Veterans Memorial Building without a parking permit. Approval of the Ordinance will ensure that there is parking available for seniors who are members of the Downtown Oakland Senior Center, and for veterans who wish to access the services provided by various veterans' service organizations located at the senior center.

Street parking in the Adams Point Park neighborhood is restricted to 2 hours. Currently the Veterans Memorial Building parking lot is unrestricted, and is used by local residents as an alternative to street parking. The Oakland Municipal Code currently restricts parking in many areas of the City, and this Ordinance would establish that the Veterans Memorial Building parking is restricted to program participants and staff.

FISCAL IMPACT

The City would receive parking violation revenue in the amount of \$37 for citations for parking in the Veterans memorial Building parking lot without a permit. There are 62 parking spaces at the Downtown Oakland Senior Center. If two vehicles are ticketed each day, based on a six day restriction, the City could receive net revenue of approximately \$22,000 per year. If the ticketing were increased to an average of five tickets per day, the revenue could increase to approximately \$54,000 per year. Any increase in revenue as a result of parking citations issued under this Ordinance will increase General Fund (Fund 1010).

BACKGROUND

Section 10.32 of the Oakland Municipal Code restricts parking at certain Oakland facilities. In order to provide access to services at the Downtown Oakland Senior Center and for clients of certain veteran's organizations the restrictions should be expanded to include the parking lot at the Veterans Memorial Building.

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Life Enrichment Committee
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In 1981 Alameda County transferred the Oakland Veterans Building to the City of Oakland. The City and the County came to agreement regarding operation and management of the building “for the use and benefit of associations of veteran soldiers, sailors, or marines” and “to accommodate senior citizen services uses.” Since then the neighborhood nearby the Veterans Memorial building has grown, more residents have use of automobiles, and street parking has become less available. The recent opening of the Whole Foods Market less than a block from the Veterans Memorial Building has increased the parking burden in the neighborhood, and has resulted in more cars using the Veterans Memorial Building lot for activities unrelated to the senior center and the veterans’ organizations. The Downtown Oakland Senior Center has posted notices to discourage parking by neighborhood residents and others not affiliated with the Veterans Memorial Building, but without the potential for a citation there are some who continue use the all day free parking lot with impunity. Unless this ordinance is adopted, clients of the senior center and veterans organizations will continue to search offsite for parking while those who do not utilize the facility continue to park in the Veterans Memorial Building lot without risk of a monetary fine.

KEY ISSUES AND IMPACTS

The Downtown Oakland Senior Center has a current membership of 896. Of those members, 771 have received a parking permit which is displayed on their vehicle. Oakland Municipal Code 10.28.220 provides that the City Council may authorize the use of parking permits to restrict parking in a municipal lot. This Ordinance is necessary to establish restricted parking at the Veterans Memorial Building and allow for enforcement through the issuance of citations to vehicles that do not display a permit.

The seniors and veterans who park in the Veterans Memorial Building lot in order to access the programs and services at the Downtown Oakland Senior Center and the veterans’ service organizations should be given explicit priority to park in the lot. The parking in Adams Point neighborhood is limited, with 2 hour street parking limits in place. In order to ensure the viability of the programs at the Veterans Memorial Building it is necessary to restrict parking to those who use the programming.

PROGRAM DESCRIPTION

This ordinance will restrict the parking at the Veterans Memorial Building to permit holders, and authorize the imposition of fines for vehicles that do not display appropriate parking permits. Individuals who wish to access the services and programs at the facility without joining the senior center or obtaining a parking permit will be able to obtain a temporary permit at the front desk of the Veterans Memorial Building.

SUSTAINABLE OPPORTUNITIES

Economic: This ordinance will generate revenue for the City by levying fines for improper parking.

Environmental : The ordinance will reduce emissions by vehicles that must spend excessive time searching for parking spaces near the Veterans Memorial Building.

Social Equity: This ordinance will ensure senior residents have access to education, nutrition and social services at the Downtown Oakland Senior Center. Access to veteran's services and programs will also be facilitated.

DISABILITY AND SENIOR CITIZEN ACCESS

This ordinance supports access to services for Oakland's senior population, and for certain disabled veterans.

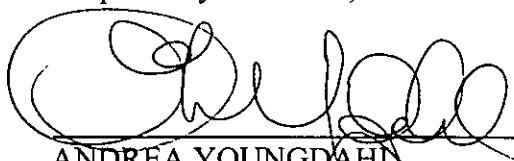
RECOMMENDATION(S) AND RATIONALE

Staff recommends that the City Council amend Oakland Municipal Code section 10.32 to allow vehicles who park at the Veterans Memorial Building without a permit to be cited.

ACTION REQUESTED OF THE CITY COUNCIL

Approve an Ordinance amending section 10.32 by adding section 10.32.160 to the Oakland Municipal Code.

Respectfully submitted,



ANDREA YOUNGDAHL
Director, Department of Human Services

Prepared by:
Tracy Jensen, Senior Services Administrator

APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE:



Office of the City Administrator

Item: _____
Life Enrichment Committee
May 12, 2009

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OAKLAND

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APPROVED AS TO FORM AND LEGALITY

A. London

City Attorney

INTRODUCED BY COUNCILMEMBER _____

ORDINANCE No. _____ C.M.S.

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE CHAPTER 10.32, TO ADD SECTION 10.32.160, MAKING IT UNLAWFUL TO PARK AT THE DOWNTOWN OAKLAND SENIOR CENTER/VETERANS MEMORIAL BUILDING PARKING LOT WITHOUT A PERMIT

WHEREAS, the Veterans Memorial Building located at 200 Grand Avenue serves seniors through the Downtown Oakland Senior Center (DOSC) and veterans of the armed services through a number of veterans' service organizations (VSOs); and

WHEREAS, to ensure the availability of parking at the site, it is necessary to place restrictions on the parking lot and allow for ticketing and/or towing of vehicles without City permits; and

WHEREAS, the Department of Human Services will make available annual parking permits upon request to members of the DOSC who have paid an annual membership fee as provided in the City of Oakland Master Fee Schedule; and make available parking permits without charge to City of Oakland staff and to the staff of veterans' organizations with offices in the Veterans Memorial Building; and also make available temporary daily parking permits senior center visitors, senior center instructors, maintenance or other contractors, and clients of the VSOs; and

WHEREAS, the Department of Human Services will create a written policy setting forth the terms and conditions for the parking permits; and

WHEREAS, California Vehicle Code Sections 21113 and 22519 permit local authorities to restrict or regulate the parking, stopping or standing of vehicles on any off street parking facility which it owns or operates or a municipal parking facility; and

WHEREAS, Sections 21113 and 22519 require the posting of signs giving notice of parking restrictions in off street parking facilities or municipal parking facilities before enforcement may be undertaken; and

WHEREAS, Any increase in revenue as a result of parking citations issued under this Ordinance will increase General Fund (Fund 1010), and

WHEREAS, the City Council finds and determines that the herein-referenced ordinance and amendments are reasonable and necessary; now, therefore

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

Section 1. Oakland Municipal Code is amended to add Section 10.32.060 as follows:

10.32.160 Parking of vehicles in Downtown Oakland Senior Center/Veterans Memorial Building municipal parking lot

It is unlawful for any person to park, or attempt to park, any vehicle in any municipal parking lot or area, without displaying a current parking permit to park in the parking lot adjacent to and immediately east of the Veterans Memorial Building at 200 Grand Avenue, lying between Grand Avenue and Bay Place, and accessible by driveways from Grand Avenue and Bay Place and by access road from Harrison Street, together with said driveways and access roads and all adjacent unimproved areas.

Section 2. Oakland Municipal Code 10.48.010 is amended to add the following underscored language:

10.48.010 Schedule of parking fines.

A. The following schedule sets specific fines for Oakland Traffic Code violations:

Oakland Code Section	Traffic Description	Fine
<u>10.32.160</u>	<u>Parking At The Downtown Oakland Senior Center/Veterans Memorial Building Municipal Parking Lot Without A Permit</u>	<u>\$43.00</u>

Section 3. The City shall post a signs at Veterans Memorial Building parking lot at 200 Grand Avenue not less than 17 by 22 inches in size with lettering not less than one inch in height which clearly and conspicuously states the following:

Unauthorized vehicles parked in this lot not displaying a City of Oakland Senior Center/Veterans Memorial Building Permit will be cited and/or towed away at the owner's expense. Towed vehicles may be reclaimed at:

_____ (Address)

or by telephoning

(Telephone number of local law enforcement agency)

The sign(s) shall be posted, at minimum, in a conspicuous place at each entrance to the offstreet parking facility.

Section 4. The Ordinance shall in full force and effect immediately upon its passage as provided by Section 216 of the City Charter, if adopted by at least six members of Council, or upon the seventh day after final adoption if adopted by fewer votes.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California

DATE OF ATTESTATION: _____