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OFFICE OF THE CITY CLERK  
OAKLAND

# CITY OF OAKLAND

## AGENDA REPORT

2009 SEP 24 PM 8:00

**To:** Office of the City Administrator  
**Attn:** Dan Lindheim  
**From:** Parking Operations Division and Budget Office  
**Date:** October 6, 2009

**Subject:** Discussion and Action (1) to Adopt an Ordinance Amending Oakland Municipal Code Section 10.36.050 to Increase the Exempted Time Period for a Parking Meter Zone Violation By Changing the Start Time For the Exempted Period From 8:00 p.m. to 6:00 p.m. or 7:00 p.m. or Other Time Specified by Council; and (2) on a Report Providing the City Administrator's Budget Balancing Recommendations to Address the Shortfall Resulting from a Roll Back of the Start Time of the Exempted Period for Parking Meter Violations from 8:00 p.m. to 6:00 or 7:00 p.m. or Such Other Combination of Budget Balancing Measures that Council May Propose At or Before the Meeting

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### SUMMARY

At the September 22, 2009 Council Meeting, Council directed staff to submit a menu of options to mitigate the revenue loss resulting from two proposals to rollback parking meter hours from 8:00 a.m.-8:00 p.m. to either: (a) 8:00 a.m. - 6:00 p.m. or (b) 8:00 a.m. - 7:00 p.m. This report provides options to counteract the estimated revenue loss from the proposed meter hour rollback.

### FISCAL IMPACT

Council has suggested two proposals to rollback the parking meter hours that had been extended from 6:00 p.m. to 8:00 p.m. The fiscal impact of these proposals is estimated as follows:

- 1) If hours are rolled back from 8:00 a.m. - 8:00 p.m. to 8:00 a.m. - 6:00 p.m.: \$1.33 million annual revenue loss; **\$1.0 million for 9 months (Oct-June).**
- 2) If hours are rolled back from 8:00 a.m. - 8:00 p.m. to 8:00 a.m. - 7:00 p.m.: \$0.5 million annual revenue loss; **\$0.4 million for 9 months (October-June).**

Item No. \_\_\_\_\_  
City Council  
October 6, 2009

## KEY ISSUES AND IMPACTS

Parking-related options to mitigate the loss of revenues from the proposed meter hour extension rollback include: increasing enforcement against improper handicapped placard use, raising meter violation fines, adding meters, adding Sunday as a meter day, and implementing demand pricing policy city-wide or in downtown.

Following are details and the estimated fiscal impact of each option, net of associated costs.

### 1. Increase enforcement against illegal use of disabled parking placards.

Create a program with OPD and Parking Enforcement to increase enforcement against illegal use of disabled parking placards. Estimated revenue is \$0.2 million annually, **\$0.15 million for 9 months (October-June)**.

### 2. Increase parking meter violation fines:

There are 3 parking meter related fines: on-street expired meter, off-street expired meter, and meter overtime. Options include:

- a) Increase all 3 types of fines by \$5 per ticket (from \$55 to \$60, including County pass-through): \$0.34 million in annual revenue; **\$0.25 million for 9 months (October-June)**.
- b) Increase all 3 fines by \$10 per ticket (from \$55 to \$65, including County pass-through): \$0.67 million in annual revenue; **\$0.50 million for 9 months (October-June)**.

### 3. Increase all other parking violation fines.

Two options are presented to increase all other (i.e. non-parking meter) parking violation fines:

- a) By 10% per ticket: \$0.15 million in annual revenue; **\$0.11 million for 9 months (October-June)**.
- b) By \$5 per ticket: \$0.12 million in annual revenue; **\$0.09 million for 9 months (October-June)**.

### 4. Add Sunday as a metered day.

\$0.72 million in annual revenue (net of a part-time parking technician's cost); **\$0.5 million for 9 months (October-June)**.

## 5. Add meters to various areas.

Average revenue collection per meter space per year is \$2,000; \$833 for 5 months (February-June; it will take four months to acquire and install meters). The cost per meter space is approximately \$1,000 (\$8,000 per machine covering 8 spaces). If amortized over 4 years, the annual cost would be \$250/year. The approximate net would be \$583 for the current fiscal year per space, and annual revenue of \$1,750 per space thereafter. For the 306 unmetered spaces listed below, the current year net revenue would be approximately \$179,000. It is important to note that the out of pocket costs in the current fiscal year would exceed current fiscal year revenues.

- a) There are a total of 169 unmetered spaces in the Lake Park Lot; however, 58 are reserved / permit. (111 spaces @ \$583/space yields approximately \$65,000 in current year)
- b) There are 195 unmetered spaces (92 on the 1<sup>st</sup> floor, 103 on the second floor) in the lot at 3250 Lakeshore (Trader Joe's) (195 spaces @ \$583/space yields \$114,000 in current year)

## 6. Increase parking meter rate during peak hours (10:00AM to 2:00 PM)

The City may wish to implement demand-pricing strategy by raising meter rates during peak hours, as follows:

**Option A** – Increase meter rate to \$3.00 per hour

- Citywide: Projected revenue of \$1.0 million per year; **\$0.8 million for 9 months (October-June).**
- Downtown to Jack London Square only: Projected revenue of \$0.3 million per year; **\$0.2 million for 9 months (October-June).**

**Option B** – Increase meter rate to \$4.00 per hour

- Citywide: Projected revenue of \$1.7 million per year; **\$1.3 million for 9 months (October-June).**
- Downtown to Jack London Square only: Projected revenue of \$0.5 million per year; **\$0.4 million for 9 months (October-June).**

**Option C** – Increase meter rate to \$5.00 per hour

- Citywide: Projected revenue of \$2.1 million per year; **\$1.6 million for 9 months (October-June).**
- Downtown to Jack London Square only: Projected revenue of \$0.6 million per year; **\$0.5 million for 9 months (October-June).**

## 7. Increase parking meter rates during all hours Citywide from the current \$2 / hour citywide

- By \$0.25 per hour: \$0.7 million per year; **\$0.5 million for 9 months (October-June).** (These estimates are based on the 8:00 a.m. - 6:00 p.m. meter hours.)
- By \$0.50 per hour: \$1.4 million per year; **\$1.0 million for 9 months (October-June).**

**CITY COUNCIL ACTIONS**

The City Council could reconsider the action to scale back parking meter hours discussed at the September 22, 2009 meeting. An ordinance is attached. To counter-balance the estimated revenue loss, a combination of options listed above may be considered for implementation. To take action on the suggested options, the following legislation would be required:

- Resolution amending the FY 2009-11 budget to implement revenue and expenditure changes associated with the chosen options. (This legislation **is attached** to this report.)
- Legislation (resolution or ordinance, depending on location) to install new parking meters. (Staff **will return with appropriate legislation** upon Council direction)
- Legislation to increase fine amounts. (Staff **will return with appropriate legislation** upon Council direction.)
- Legislation to increase hourly meter amounts. (Staff **will return with appropriate legislation** upon Council direction.)
- Legislation to add Sunday as a metered day. (Staff **will return with appropriate legislation** upon Council direction.)

Respectfully submitted,



NOEL PINTO  
Parking Director



CHERYL TAYLOR  
Budget Director

Prepared by: Nila Wong  
Financial Analyst

APPROVED FOR FORWARDING  
TO THE CITY COUNCIL:



Office of the City Administrator

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 SEP 24 PM 8:00

APPROVED AS TO FORM AND LEGALITY

**DRAFT**  
City Attorney

## OAKLAND CITY COUNCIL

ORDINANCE No. \_\_\_\_\_ C.M.S.

INTRODUCED BY: Councilmember Patricia Kernighan

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**AN ORDINANCE AMENDING OAKLAND MUNICIPAL CODE SECTION 10.36.050 TO INCREASE THE EXEMPTED TIME PERIOD FOR A PARKING METER ZONE VIOLATION BY CHANGING THE START TIME FROM 8:00 P.M. TO 6:00 P.M., 7:00 P.M., OR OTHER TIME SPECIFIED BY COUNCIL**

**WHEREAS**, Oakland Municipal Code section 10.36.050 makes illegal parking in a parking meter zone if the parking meter shows that the parking time has expired; and

**WHEREAS**, Oakland Municipal Code section 10.36.050 specifies a certain time period when violations are exempted; and

**WHEREAS**, on July 7, 2009, the Oakland City Council adopted Ordinance No. 12953 C.M.S. amending Oakland Municipal Code section 10.36.050, changing the start time for the exempted time period for a parking meter violation from six p.m. to eight p.m.; and

**OPTION 1**

[**WHEREAS**, The Oakland City Council wishes to return to the previous start time of six p.m. for the exempted time period for a parking meter violation; now, therefore]

**OPTION 2**

[**WHEREAS**, The Oakland City Council wishes to change the start time for the exempted time period for a parking meter violation to seven p.m.; now, therefore]

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

**SECTION 1.** Oakland Municipal Code (O.M.C.) section 10.36.050 "Parking Meter Indication That Space is Illegally in Use" is hereby amended to add, delete, or modify sections as set forth below (additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~; portions of the regulations not cited or not shown in underscoring or strike-through type are not changed).

- A. It is illegal for any person to park or leave standing any vehicle in any parking meter zone on any street at any time during which the parking meter shows, indicates, registers, or displays that the parking space is illegally in use except during the time necessary to deposit United States coins in said parking meter so as to show, indicate, register, display, or permit legal parking and excepting also during the time from ~~eight p.m.~~ [OPTION 1:

six p.m.] [OPTION 2: seven p.m.] to eight a.m., and excepting also all holidays as defined in Section 10.36.090 when indicated by appropriate signs located on the parking meter. When five-hour meters are installed, such meters shall show, indicate, register, display, or permit legal parking during a twenty-four (24) hour period, seven days a week, when indicated by appropriate signs located on the parking meters.

**SECTION 2.** 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 3.** Effective Date. This ordinance shall become effective immediately upon adoption if upon final passage it passes with six or more affirmative votes. It will take effect seven days after final passage if it is adopted with five affirmative 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: \_\_\_\_\_

2009 SEP 24 PM 8:00

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

**DRAFT**  
City Attorney

**RESOLUTION AMENDING THE CITY OF OAKLAND'S FY 2009-11 AMENDED BUDGET, WHICH WAS ADOPTED PURSUANT TO RESOLUTION NO. 82235 C.M.S., TO APPROVE BUDGET BALANCING MEASURES TO ADDRESS THE SHORTFALL RESULTING FROM A ROLL BACK OF THE START TIME OF THE EXEMPTED PERIOD FOR PARKING METER VIOLATIONS FROM 8:00 P.M. TO 6:00 OR 7:00 P.M OR OTHER TIME SPECIFIED BY COUNCIL**

**WHEREAS**, the City Council adopted Resolution No. 82235 C.M.S. on July 28, 2009 amending the FY 2009-11 biennial budget, and appropriating certain funds to provide for the expenditures proposed by the said budget; and

**WHEREAS**, the City Council adopted an ordinance to amend Oakland Municipal Code Section 10.36.050 to Increase the Exempted Time Period for a Parking Meter Zone Violation By Changing the Start Time For the Exempted Period From 8:00 P.M. to 6:00 P.M. or 7:00 P.M specified by Council on October 6, 2009; and

**WHEREAS**, the City Council requested that the City Administrator to return to Council to propose budget balancing measures to address the shortfall resulting from a roll back of the start time of the exempted period for parking meter violations from 8:00 p.m. to 6:00 or 7:00 p.m; now, therefore be it

**RESOLVED:** That the City's Fiscal Year 2009-11 Policy Budget is hereby amended to include implementation measures reflected in Exhibit A included with and made a part of this resolution, subject to additional amendments that may be presented and adopted on the floor at the October 6, 2009 meeting, which amendments will be incorporated into Exhibit A.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2009

**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

City Administrator's Budget Amendments

General Purpose Fund	FY 2009-10		FY 2010-11	
	Revenues	Expenditures	Revenues	Expenditures
<b>Proposal to Roll Back Parking Meter Hours</b>				
a. To 6PM	(\$997,500)	\$0	(\$1,330,000)	\$0
b. To 7PM	(\$399,000)	\$0	(\$532,000)	\$0
<b>Options to Consider:</b>				
<b>1. Increase Enforcement against illegal use of disabled parking placards</b>	\$150,000	\$0	\$200,000	\$0
<b>2. Increase parking meter violation fines:</b>				
a. By \$5 per ticket (from \$55 to \$60, including County pass-through)	\$250,000	\$0	\$340,000	\$0
b. By \$10 per ticket (from \$55 to \$65, including County pass-through)	\$500,000	\$0	\$670,000	\$0
<b>3. Increase all other parking violation fines:</b>				
a. By 10% per ticket	\$110,000	\$0	\$150,000	\$0
b. By \$5 per ticket	\$90,000	\$0	\$120,000	\$0
<b>4. Add Sunday as a metered day</b>	\$500,000	\$0	\$720,000	\$0
<b>5. Add meters to various areas</b>				
Per meter space (cost amortized over 4 years)	\$833	\$250	\$2,000	\$250
Add 100 metered spaces	\$83,300	\$25,000	\$200,000	\$25,000
Add 200 metered spaces	\$166,600	\$50,000	\$400,000	\$50,000
Add 300 metered spaces	\$249,900	\$75,000	\$600,000	\$75,000
Add 400 metered spaces	\$333,200	\$100,000	\$800,000	\$100,000
Add 500 metered spaces	\$416,500	\$125,000	\$1,000,000	\$125,000
<b>6. Increase parking meter rate during peak hours (10:00AM to 2:00 PM)</b>				
<b>Option A</b> Increase meter rate to \$3.00 per hour				
Citywide	\$752,060	\$0	\$1,002,750	\$0
Downtown to Jack London Square only	\$216,125	\$0	\$288,167	
<b>Option B</b> Increase meter rate to \$4.00 per hour				
Citywide	\$1,289,250	\$0	\$1,719,000	\$0
Downtown to Jack London Square only	\$370,500	\$0	\$494,000	\$0
<b>Option C</b> Increase meter rate to \$5.00 per hour				
Citywide	\$1,611,560	\$0	\$2,148,750	\$0
Downtown to Jack London Square only	\$463,125	\$0	\$617,500	\$0
<b>7. Increase parking meter rates during all hours Citywide from the current \$2 / hour citywide</b>				
a. By \$0.25 per hour	\$511,700	\$0	\$682,260	\$0
b. By \$0.50 per hour	\$1,023,400	\$0	\$1,364,530	\$0