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**COUNCIL COMMUNICATION**

**Date: JULY 7, 2009**

**To:** Honorable Mayor and City Council

**From:** Tim O'Donnell, City Manager

**Subject: RESOLUTION IMPLEMENTING A STREET SWEEPING PARKING RESTRICTION ENFORCEMENT PROGRAM**

**RECOMMENDATION**

Adopt Resolution implementing a street sweeping parking restriction enforcement program.

**BACKGROUND**

Currently, under the direction of the Maintenance Services Department, the City of Brea operates a street sweeping program throughout the entire City. This includes all public residential and commercial area streets. Sweeping services are conducted Monday through Thursday, commencing at 7:00 AM and ending at 1:00 PM. Each street is swept weekly.

In addition to maintaining a clean and presentable appearance to Brea's public streets, the sweeping program also assists the City's efforts to comply with the federal Clean Water Act and the National Pollution Discharge Elimination System (NPDES), which requires the City to minimize the amount of debris reaching storm drains and catch basins. Clean streets left by sweepers keep debris out of storm drains, reducing the potential for flooding and keeping pollutants out of the ocean or other local waterways. To keep ahead of evolving NPDES requirements, the City currently sweeps public streets at twice the rate required by NPDES.

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### **DISCUSSION**

Proper sweeping of streets requires that streets remain clear of vehicles and other obstructions while the sweeper is working. A vehicle parked at the curb requires the sweeper to traverse around it, leaving the gutter and roadway in that area not cleaned. Throughout each year various City departments, including Maintenance Services, Development Services, Communications and Marketing, and the Police Department receive complaints from residents that the streets in front of and near their homes are not being swept due to parked vehicles. Currently, there is no available remedy or action to prevent parked vehicles from blocking sweepers. Voluntary compliance with parking restrictions has not achieved the desired results.

In response to these complaints, Maintenance Services has proposed a street sweeping parking enforcement program be implemented. An enforcement program would address citizen complaints and increase the effectiveness of the street sweeping program. An additional benefit of this program would be that it would bring revenue to the City as the result of citations being issued for non-compliance.

In researching the potential impact an enforcement program would have on street sweeping operations and City revenue, a Police Department Parking Control Officer (PCO) conducted a survey of street sweeper routes for a single sweeper during a scheduled week of sweeping activity. (There are two sweeper routes conducted simultaneously, so half the City was surveyed.) The PCO identified a total of 1,175 vehicles that blocked the sweeper during its rounds for the week. Of those 1,175

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vehicles, 728 had no overnight parking permit. This indicated approximately 60% of the vehicles blocking the sweeper likely had the opportunity to be parked off-street during street sweeping hours. During the survey, the PCO was approached by several different residents who expressed a desire for an enforcement program.

The amount of City revenue generated by an enforcement program is dependent on the type of program implemented. A program with codified exemptions (i.e. permits) will generate less revenue than a program with no standard exemptions.

Several local cities currently employ an enforcement program to assist sweeping operations. These cities include La Habra, Chino Hills, Placentia, Diamond Bar, Anaheim, Orange, and Garden Grove.

The costs to implement and operate an enforcement program would be two (2) part-time Parking Control Officers, two (2) vehicles for those officers, equipment, and signage costs.

### **OPTIONS CONSIDERED**

Four options have been considered by staff:

1. *Parking Restriction and Full Enforcement Program*: Council would adopt a city ordinance prohibiting the parking of vehicles on public streets during posted days and hours of street sweeping. All vehicles parked on the street during the posted days and hours would receive parking citations (\$38 fine). However, utilizing administrative discretion staff would allow temporary variances for residents with

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short-term parking hardships, such as visiting guests, home construction, or other reasons vehicles must be parked on the street. This policy is similar to what is currently done within the Police Department's overnight parking enforcement program. Residents would have to contact the City prior to the parking hardship to arrange for a variance.

2. *Parking Restriction and Full Enforcement Program with Exemption Permit*

*Availability:* Council would adopt a resolution prohibiting the parking of vehicles on public streets during posted days and hours of street sweeping. All vehicles parked on the street during the posted days and hours would receive parking citations (\$38 fine). Staff would develop a permitting process and guidelines under which residents could receive a permit allowing a vehicle to park on the street during posted days and hours of sweeping. Residents would be required to pay annually (\$20) for the permit as a method of cost recovery for staff time in reviewing applications and issuing permits.

3. *Parking Restriction and Full Enforcement Program with Exemption for*

*Overnight Parking Permit.* Council would adopt a resolution prohibiting the parking of vehicles on public streets during posted days and hours of street sweeping. All vehicles parked on the street during the posted days and hours would receive parking citations (\$38 fine). Those who possess a permit for overnight street parking (currently \$20) would be permitted to park on the street during days and hours of street sweeping.

4. *No Change in Current Practices:* The street sweeping program would continue as is, with no restrictions on parking during sweeping days.

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### **FISCAL IMPACT**

The fiscal impact for options 1-3 include the following Year One costs for personnel, vehicles, equipment, and signage:

(2) Part-Time Parking Control Officers	\$ 60,000
(2) Parking Enforcement vehicles (Toyota Prius)	\$ 50,000
Annual Vehicle Operating and Maintenance	\$ 5,000
(2) Electronic Citation Writers	\$ 10,000
Signage	\$ <u>10,000</u>
	\$ 135,000

Subsequent annual costs would not include vehicle purchase, citation writers purchase, or signage for a total ongoing annual cost of approximately \$65,000 per year.

### **Option 1**

Option 1 is the option being recommended by staff. This option contains no programmed permitting. Temporary variances may be granted for specified hardships. Based on surveys conducted by Police personnel during the week of May 4, 2009, it is estimated that approximately 48,000 violations will occur annually, yielding \$1.512 million in citation fine revenue.

#### Year One

Operational and Capital Costs	(\$ 135,000)
Citation Fine Revenue	<u>\$1,512,000</u>
Net General Fund Revenue	\$1,377,000

#### Subsequent Years

Operational and Capital Costs	(\$ 65,000)
Citation Fine Revenue	<u>\$1,512,000</u>
Net General Fund Revenue	\$1,447,000

However, staff conservatively estimates that the revenues for the first fiscal year will be at least \$700,000. This estimate is based on less than a full year's enforcement.

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## **EXECUTIVE SUMMARY**

None.

Respectfully submitted,

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Tim O'Donnell, City Manager

Concurrence:

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Billy Hutchinson, Chief of Police

Prepared by:

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