

**REPORT TO THE
CITY COUNCIL**
City of Salinas, California

Agenda Item Number

CR-7

DATE: May 18, 2004
FROM: Tom L. Kever, Finance Director
THROUGH: Rick Moore, Deputy Chief
BY: Mike Dominici, Sergeant

SUBJECT: PARKING FINE INCREASE

Department Director Approval

Da. M. Ortega
Finance Review

Tom L. Kever
Attorney Review

Christine Davis
City Manager Approval

BACKGROUND:

On April 12, 1994, the City's bail schedule for parking violations was amended by Resolution No. 15102. The bail amount was increased by \$5.00 to align the City's bail schedule with that set by Monterey County.

Section 40203.5 of the California Vehicle Code states: "The schedule of parking penalties for parking violations, late payment penalties, administrative fees and other related charges for parking violations shall be established by the governing body of the jurisdiction where the notice of violation is issued. To the extent possible, issuing agencies within the same county shall standardize parking penalties."

Researching bail schedules for other agencies within Monterey County indicates that the City of Salinas could raise penalties charged for most parking violations by 20%. The 20% penalty increase for a parking violation generally amounts to a \$5.00 increase for the majority of parking violations. For reference, a list of parking violations with current and proposed penalties is attached to this report.

Under the new proposed bail schedule, the basic overtime parking fine will be increased from \$20.00 to \$24.00. The County will receive \$5.00 with the remaining \$19.00 retained by the City.

For the City, a 20% increase in parking citation revenue should generate approximately \$50,000 annually and would be deposited in the Traffic Safety Fund.

ISSUE

Shall Council adopt the proposed bail schedule increase?

ALTERNATIVES AVAILABLE TO COUNCIL

1. Approve the suggested bail schedule increase for parking violations.
2. Not approve the increase for parking violations.

FISCAL IMPACT

Based on the parking fine revenues for the last two years, the proposed increase will generate approximately \$50,000 annually.

CONCLUSION AND RECOMMENDATION:

Staff recommends Council adopt a Resolution establishing the new bail schedule for parking violations.

Distribution:

City Manager
City Attorney
Finance Director
Chief of Police
City Clerk

Attachments:

Resolution
Bail Schedule Listing
City Attorney's memorandum
Parking Fine Summary

RESOLUTION NO. _____ (N.C.S.)

**A RESOLUTION ADOPTING INCREASE IN BAIL SCHEDULE FOR PARKING
VIOLATIONS FOR THE CITY OF SALINAS**

WHEREAS, the bail schedule for parking violations was last amended in April 1994 by Resolution No. 15102; and

WHEREAS, the Finance and Police Departments have reviewed the current bail schedule; and

WHEREAS, an increase in particular bail amounts will, to extent possible, standardize the City's bail schedule with that of agencies within Monterey County; and

NOW, THEREFORE, BE IT RESOLVED BY THE SALINAS CITY COUNCIL that the attached "Bail Schedule for Parking Violations" be adopted.

PASSED AND ADOPTED this ____ day of _____ 2004, by the following votes:

AYES:

NOES:

ABSENT:

ATTEST:

Mayor

City Clerk

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C I T Y O F S A L I N A S
BAIL SCHEDULE LISTING

BAIL CODE	CODE DESCRIPTION	CURRENT . BAIL AMT	PROPOSED BAIL AMT
20-100	PARKING ON CERTAIN STREETS BY COMMERCIAL VEHICLES PROHIBITED OVER 6,000 LBS	62.00	70.00
20-100.1	VEHICLE OVER 10,000 LBS PARKED IN RESIDENTIAL AREA	62.00	70.00
20-100b	PARKING ON CERTAIN STREETS BY COMMERCIAL VEHICLES PROHIBITED	62.00	70.00
20-17	OBEY TRAFFIC-CONTROL DEVICES	25.00	30.00
20-36	RIDING ON SIDEWALK	25.00	30.00
20-48a	PARKING PROHIBITED IN CERTAIN PLACES	25.00	30.00
20-49a	PARKING IN EXCESS OF 72 HOURS	25.00	30.00
20-50.1a	VEHICLES FOR SALE ON PUBLIC STREETS AND PROPERTY; REMOVAL	100.00	120.00
20-50a	DISPLAY OF VEHICLE FOR SALE ON ROADWAY	100.00	120.00
20-50b	REPAIR OR GREASING VEHICLE ON ROADWAY	25.00	30.00
20-50c	WASHING VEHICLE AS BUSINESS ON ROADWAY	25.00	30.00
20-52b	ANGLE PARKING	25.00	30.00

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20-54	PARKING IN PARKWAYS PROHIBITED	35.00	40.00
20-55b	PARKING ADJACENT TO SCHOOLS PROHIBITED	25.00	30.00
20-56b	PARKING WHERE PROHIBITED BY SIGNS	25.00	30.00
20-56c	PARKING VEHICLE OVER SIX (6) FEET HIGH WHERE POSTED AS PROHIBITED	25.00	30.00
20-57b	PARKING WHERE PROHIBITED BY SIGN	25.00	30.00
20-58a	PARKING OF VENDOR VEHICLE PROHIBITED	62.00	70.00
20-58b	PARKING OF VENDOR VEHICLE PROHIBITED	62.00	70.00
20-58c	PARKING OF VENDOR VEHICLE PROHIBITED	62.00	70.00
20-58d	PARKING OF VENDOR VEHICLE PROHIBITED	62.00	70.00
20-59	FAILURE TO DISPLAY WARNING DEVICE	62.00	70.00
20-59.1a	FAILURE TO PARK IN DESIGNATED SPACE	25.00	30.00
20-73	PARKED IN BUS ZONE	25.00	30.00
20-73b	PARKING PROHIBITED IN BUS ZONE	25.00	30.00
20-74(3)	WHITE LOADING/UNLOADING ZONE	25.00	30.00

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20-74b	PARKING PROHIBITED IN RED OR GREEN ZONE IS AUTHORITY,CITE SUB SECTION C	25.00	30.00
20-74c	PARKING PROHIBITED IN RED OR GREEN ZONE	25.00	30.00
20-75a	PARKING PROHIBITED IN LOADING ZONE IN AUTHORITY, CITE 20-76	25.00	30.00
20-75c	PARKING PROHIBITED IN LOADING ZONE IS DESCRIPTION, CITE 20-77	25.00	30.00
20-76	PARKING PROHIBITED IN YELLOW LOADING ZONE	25.00	30.00
20-77	PARKING PROHIBITED IN PASSENGER LOADING	25.00	30.00
20-77.1	PARKING PROHIBITED IN TAXICAB ZONES	25.00	30.00
20-78a	PARKING PROHIBITED IN ALLEYS	25.00	30.00
20-78b	PARKING PROHIBITED IN ALLEYS	25.00	30.00
20-78c	PARKING PROHIBITED IN ALLEYS	25.00	30.00
20-78d	PARKING PROHIBITED IN ALLEY	25.00	30.00
20-79b	OVERTIME PARKING - STREETS	20.00	24.00
20-80b	PARKING PROHIBITED 4:30-6:00PM	25.00	30.00
20-81b	PARKING PROHIBITED IN NO PARKING ZONE	25.00	30.00

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20-82	PARKING PROHIBITED ON CERTAIN STREETS 3:00 AM TO 5:00AM	25.00	30.00
20-82b	PARKING PROHIBITED 3:00 AM TO 5:00 AM	25.00	30.00
20-85b	FAILURE TO PARK IN DESIGNATED SPACE - LOT	25.00	30.00
20-85c	FAILURE TO PARK IN DESIGNATED SPACE- PARALLEL	25.00	30.00
20-85e	PARKING PROHIBITED WHEN SIGNED PARKING FOR CITY VEHICLES ONLY	25.00	30.00
20-86	OVERTIME PARKING - LOT	20.00	24.00
20-87	PERMITS FOR USE BY COMMERCIAL VEHICLE	25.00	30.00
20-90	PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION	25.00	30.00
20-98	HORSE DRAWN VEHICLES	62.00	70.00
20-99b	PARKING ON CERTAIN STREETS BY TRUCKS OVER 6000 LBS PROHIBITED (MAY NOT DRIVE)	62.00	70.00
21113a	PARKING PROHIBITED ON PUBLIC GROUNDS	25.00	30.00
21210	BICYCLE PARKING	25.00	30.00
21211	BLOCKING BICYCLE PATH	25.00	30.00
22500.1	PARKING IN FIRE LANE	62.00	70.00

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22500a	PARKED IN INTERSECTION	25.00	30.00
22500b	PARKING IN CROSSWALK	25.00	30.00
22500c	PARKED IN SAFETY ZONE	25.00	30.00
22500d	PARKED IN FRONT OF FIRE STATION	25.00	30.00
22500e	PARKING IN FRONT OF DRIVEWAY	25.00	30.00
22500f	PARKING ON SIDEWALK	25.00	30.00
22500g	PARKED ALONG SIDE A HIGHWAY OBSTRUCTION	25.00	30.00
22500h	PARKING DOUBLE	25.00	30.00
22500i	PARKED IN RED ZONE	25.00	30.00
22500j	PARKED IN TUBE OR TUNNEL	25.00	30.00
22500k	PARKED UPON A BRIDGE	25.00	30.00
22500l	PARKED IN WHEELCHAIR ACCESS TO SIDEWALK	25.00	30.00
22502a	PARKING OVER 18" FROM THE CURB/MOTORCYCLE MUST HAVE ONE WHEEL TOUCHING THE CURB	25.00	30.00
22502e	PARKING OVER 18" FROM LEFT SIDE ON A ONE WAY STREET	25.00	30.00
22504a	PARKING IN ROADWAY-UNINCORPORATED AREA	25.00	30.00
22505b	PARKING IN RESTRICTED AREA POSTED	25.00	30.00
22507.8a	PARKED IN HANDICAPPED ZONE	280.00	280.00

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22507.8b	PARKED IN HANDICAPPED ZONE	280.00	280.00
22507.8c	PARKING ON LINES OF HANDICAPPED/LOADING ZONE	280.00	280.00
22509	FAILURE TO CURB WHEELS ON HILL	25.00	30.00
22513	TOWCAR PARKING ON FREEWAY	25.00	30.00
22514	FIRE HYDRANT	35.00	40.00
22515	UNATTENDED VEHICLE, MOTOR RUNNING	25.00	30.00
22516	PARKING, PERSON LOCKED IN VEHICLE	25.00	30.00
22517	OPENING & CLOSING DOORS TO TRAFFIC	25.00	30.00
22520	STOPPING ON FREEWAY	25.00	30.00
22520.5	VENDING ON FREEWAY	25.00	30.00
22521	PARKED UPON OR NEAR RAILROAD TRACK WITHIN 7 1/2 FEET	25.00	30.00
22522	PARKED WITHIN 3' OF ACCESS RAMP	25.00	30.00
22523a	ABANDONED VEHICLE ON PUBLIC ROADWAY	100.00	120.00
22523b	ABANDONED VEHICLE ON PRIVATE PROP	100.00	120.00
22526.a	GRIDLOCK	25.00	30.00
22651b	PARKED IN ROADWAY	25.00	30.00
226511	PARKED IN CONSTRUCTION ZONE	25.00	30.00

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23333	PARKING ON BRIDGE	25.00	30.00
25300a	WARNING DEVICES DISPLAY	25.00	30.00
25300b	WARNING DEVICES DISPLAY	25.00	30.00
25300c	WARNING DEVICES DISPLAY	25.00	30.00
27155	NO FUEL CAP	25.00	30.00
28-14m	FAILURE TO PARK IN DESIGNATED AREA	25.00	30.00
28-14v	TO REMAIN IN ANY PUBLIC PARK AT ANY TIME BETWEEN TIME POSTED FOR CLOSING	25.00	30.00
28-14x	DRIVING OR PARKING ON GRASS	25.00	30.00
30-10d	TAXI OTHER THAN TAXI ZONE	25.00	30.00
33-10	TAXI CAB PARKED OTHER THAN TAXI STAND	25.00	30.00
33-10d	CAB PARKED OTHER THAN TAXI ZONE	25.00	30.00
37-156c	INOPERABLE OR PROHIBITED VEHICLE IN ANY R DISTRICT EXCEEDING 24 HOURS	62.00	70.00
4462b	FALSE EVIDENCE OF REGISTRATION	25.00	30.00
4464	ALTERED LICENSE PLATE	25.00	30.00
5200	NO FRONT LICENSE PLATE	25.00	30.00
5201	OBSCURRED PLATES	20.00	24.00

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5202	IMPROPER DISPLAY OF PLATES	20.00	24.00
5202a	UNREGISTERED	60.00	70.00
5204a	TAB NOT DISPLAYED	60.00	70.00

Memo

To: Sergeant Mike Dominici
From: Christine Davi, Deputy City Attorney
cc: Tom Kever, Finance Director
Police File
Date: 4/30/2004
Re: Bail and Parking Fees

Pursuant to your request, we researched whether the City should increase its bail and/or parking fees. The City may increase parking ticket fees as long as those fees are standardized with other cities within Monterey County. Based on the comparison set forth in the table below, the City should consider increasing at least some of its parking ticket fees to align its bail schedule with other cities in Monterey County. The City is not limited in its ability to increase parking lot use charges.

Bail Schedule:

Vehicle Code §40203.5 provides that the City may establish a schedule of penalties for parking violations and late payments, although to the extent possible, the fees must be standardized with other cities in the county. For some specific parking infractions, there are statutorily prescribed minimum and maximum amounts that may be assessed.

The City's last fee increase for parking violation bail amounts took place in April 1994 by Resolution No. 15102. The purpose of the fee increase at that time was to align the City's bail schedule with that of other cities in Monterey County. In the attached table, the City's current bail amounts for some violations are compared with those of other cities in Monterey County including Monterey, Seaside, Carmel, and Marina. We obtained the fees from Santa Cruz, Hollister and San Jose for informational purposes only.

The citation fees for the City of Carmel have been in effect for over eight years. The City of Seaside citation fees have been in effect for more than five years. Some of the City of Marina's fees were increased in 1999. The City of Monterey's fees have been in effect for eight years. None of those cities have plans to raise their fees. The City of San Jose is currently increasing its fees for some citations, however, all fees will be increased sometime next year.

Since the City of Salinas' fees have been in effect for almost 10 years, and some of the fees are lower than those of other cities in Monterey County, the fees could be increased.

	Salinas	Seaside	Marina	Monterey	Carmel	Santa Cruz	Hollister	San Jose
Handicapped Parking Zone	\$280	\$275	\$275	\$275	\$275	\$275	\$250	\$280
Parking in Intersection	\$25	\$25		\$25	\$25	\$30		\$25
Parking Fire Hydrant	\$25	\$35	\$35	\$35	\$35	\$30		\$30
Parking on Sidewalk	\$25	\$25	\$25	\$25	\$25	\$30		\$25
Parking 18" from curb	\$25	\$25	\$25	\$25	\$25	\$30	\$20	\$25
Double Parking	\$25	\$25	\$25	\$25	\$25	\$30		\$25
Overtime Parking	\$20	\$30	\$25	\$20	\$20	\$18	\$20	\$33
No Parking (Red) Zone	\$25	\$30	\$35	\$30	\$20	\$25	\$40	\$33
Crosswalk Parking	\$25	\$25	\$25	\$25	\$25	\$30		\$25
Blocking driveway	\$25	\$25	\$25	\$25	\$20	\$30	\$40	\$25
Parking private property	\$25	\$30	\$25	\$25	\$25		\$20	
Parking over 48/72 hours	\$25	\$30	\$33		\$25		\$20	
Repair vehicle in street	\$25	\$100	\$45			\$33	\$30	\$56
Loading Zone	\$25	\$30	\$35	\$25		\$25	\$30	\$28
Alley parking	\$25	\$30	\$35			\$25	\$20	\$28
Undesignated space	\$25			\$25	\$20	\$25	\$20	
Abandoned Vehicle	\$100	\$250	\$270			\$100		
Bus Zone Parking	\$25		\$35	\$25	\$25	\$250	\$20	\$255

Parking Lot Fees:

Pursuant to Resolution No. 13867, Parking Lot #17 has had a monthly parking fee of \$25.00 since August 1990. Pursuant to Resolution No. 14875, Parking Lot #5 has had a monthly parking fee of \$40.00 since July 1993. Most of the parking garages for the City of Monterey have a \$32.50 monthly charge, or quarterly permits for \$90.00. Therefore, we should consider increasing these fees.

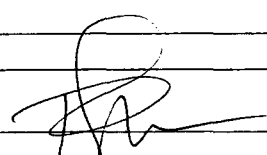
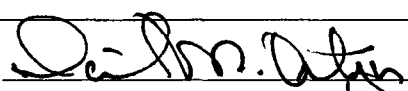


To: DANIEL M. ORTEGA, Chief of Police

Date:

SUBJECT:

Instructions: Department members submitting any written requests for consideration or action by the Office of the Chief of Police will attach this form and route the material through the chain of command. Immediate supervisors, intermediate supervisors, and Division Commanders are required to individually make recommendations for appropriate action on each transmittal and cite reasons. Other city and departmental forms that require comments of supervision and command will not require the transmittal form. Regardless of the recommendation at any level, transmittal to the Office of the Chief of Police will be completed.

<input type="checkbox"/> Information Only <input type="checkbox"/> Approval <input type="checkbox"/> Disapproval	Comments: _____ _____ _____ _____ _____ _____ Immediate Supervisor: _____ Date: _____
<input type="checkbox"/> Information Only <input type="checkbox"/> Approval <input type="checkbox"/> Disapproval	Comments: _____ _____ _____ _____ _____ _____ Intermediate Supervisor: _____ Date: _____
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<input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval	Comments: _____ _____ _____ _____ _____ _____ Chief of Police: <u></u> Date: <u>4-26-04</u>