



City Manager

ACTION CALENDAR
July 25, 2017

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Phillip L. Harrington, Director, Public Works
 Subject: Companion Report: Referral Response: Reassess UC Berkeley Game Day Parking Fines in RPP Areas A, B, D, F and G Surrounding Campus

RECOMMENDATION

In order to implement the recommendation of the Transportation Commission, adopt a Resolution:

- 1) Establishing a new Parking Fine Schedule including increased parking fines of \$300 per violation of BMC 14.40.090 in Residential Preferential Parking zones A, B, and D on posted University of California football game days;
- 2) Modifying RPP zones A, B, and D on posted University of California football game days to prohibit parking without a valid Residential Preferential Parking permit;
- 3) Replacing existing RPP signs in zones A, B, and D with new signs clearly indicating the University of California football game day parking prohibition and listing the dates on the sign of University of California football game days; and
- 4) Assessing the modified University of California Football Game Day Parking Fine program within three years of implementation and recommend to Council whether to continue or modify the program; and rescinding Resolution 63,800-N.S.

FISCAL IMPACTS OF RECOMMENDATION

There are approximately 600 existing Residential Preferential Parking (RPP) signs in zones A, B, and D, which would need to be replaced with signs indicating the new parking regulation and applicable dates to be updated each year. This includes a small number of spare signs to be used for maintenance or for new streets that may opt into the program in these zones. The one-time cost for signs will be \$100 each or a total of \$60,000. The portion of the sign identifying the dates of University of California (UC) football game days will be a decal to be replaced annually showing the new dates. Based on historical rates of damage or defacement, 900 decals per year will be required at a material cost of \$9,000 per year. Initial installation will require 200 person hours for a one time labor cost of \$20,000. Annual sign maintenance and decal replacement will

require 100 hours for an annual labor cost of \$10,000. Thus the total first year cost to install new signs will be \$89,000. The annual cost of updating the signs will be \$19,000. It is unknown how many citations may be issued and what resultant revenue would accrue to the General Fund (010-7303-351.40-10) to offset the cost of implementation. The cost to fabricate and install signs will come from the General Fund (010-5505-431.13-01 and 010-5505-431.55-20). Enforcement will be done using existing parking enforcement staff supported by Parking Meter Fund (840-7303-420.11-01). The costs to install and maintain the new signs and decals are listed in the table below.

		First-Year Cost	Ongoing Annual Cost
Signs	Materials	\$60,000	-
	Labor	\$20,000	-
Decals	Materials	\$9,000	\$9,000
	Labor	Included in sign installation	\$10,000
Total		\$89,000	\$19,000

CURRENT SITUATION AND ITS EFFECTS

On June 16, 2016, the Transportation Commission took the following action:

It was moved and seconded (Parolek/Ghosh) to recommend Council increase game day parking fines to \$300 and remove the two-hour parking option on UC football game days in (RPP) Zones A, B, and D in the South campus area. This action would create permit-only parking south of campus on game days, and the increased fine for parking citations would provide a strong deterrent to intentional game-day parking violations in these three zones.

Ayes: Bruzzone, Gerhardstein, Ghosh, Humbert, Parolek, Thomas, Zander
Noes: None
Abstain: None
Absent: Howe, Lathbury (7-0-0-2)
Motion carried.

It was the Commission's view that even with double parking fines for game day parking violations set at \$72, many game day visitors tend to view this cost favorably when compared to event parking rates charged by other entities.

The City Manager's report differs from the Commission report only in specifying that implementation of the recommendation requires rescinding and replacing Resolution 63,800-N.S. which contains the existing parking fine schedule.

BACKGROUND

This report responds to an April 5, 2016 Council referral sponsored by Councilmembers Droste, Wengraf and Capitelli.

ENVIRONMENTAL SUSTAINABILITY

If these steps prove effective based upon before-and-after evaluation, they would reduce the amount of local game day vehicle traffic congestion and exhaust emissions and encourage use of alternative forms of transportation to UC Berkeley football games.

RATIONALE FOR RECOMMENDATION

A reduction in RPP parking violations would benefit the quality of life for residents in impacted neighborhoods.

The Commission discussed options for fine levels that could be expected to reduce the congestion caused by on-street game day parking. Consensus was that the most effective fine should exceed the price of available off-street game day parking by a significant margin. After discussion, the Commission concluded that the most effective deterrent would be a \$300 fine.

Commissioners felt these two actions should be taken for a trial period in existing double-fine areas, Zones A, B, and D only. The Commission further emphasized the need for clarity in the new signage indicating that RPP Zones A, B, and D would become permit-only parking on football game days.

These steps would be expected to streamline parking enforcement on game days during the trial period.

ALTERNATIVE ACTIONS CONSIDERED

Consideration was given to creating more Tow Away zones, but after considering capacity of resources and effectiveness, this was rejected. The Commission concluded that a more effective approach would be to simply eliminate the two-hour parking allowance in RPP Zones A, B, and D on football game days. Zones F and G do not require permit parking enforcement on Saturdays.

Enacting a new resolution to increase game day fines; design and install the necessary signs; and take the other necessary steps to implement the Commission recommendation would take more than 90 days (the threshold for short term referrals), and could be sent back to Council for the annual referral prioritization process. However, the Commission did not initially anticipate the magnitude or duration of this task and took action shortly after the Council referral. Based on that action by the Commission, staff has prepared the cost analysis necessary to provide Council an opportunity for implementation prior to the 2017 football season.

Evaluation of the effects and costs of this pilot program would determine whether it should be replicated in Zones F, G, and possibly K.

CITY MANAGER

The City Manager concurs with the recommendations of the Commission's Report. However, in order to properly establish the modified fine schedule and maintain the appropriate legislative history it is necessary to rescind the fine schedule established in Resolution 63,800-N.S. and adopt a new resolution with the revised fine schedule per the recommended action of this report.

CONTACT PERSON

Farid Javandel, Transportation Commission Secretary (510) 981-7058

Attachments:

1: Resolution

Exhibit A: Football Game Day Fines

2: RPP Zone Boundary Map

3: Original Referral Report from Councilmembers Droste, Wengraf, and Capitelli
April 5, 2016

RESOLUTION NO. ##,###-N.S.

INCREASE FINES FOR PARKING VIOLATIONS AND LATE PAYMENT PENALTIES AND PROHIBIT PARKING WITHOUT A PERMIT FOR SELECTED AREAS ON THE DAYS DURING SATURDAYS WHEN THE UNIVERSITY OF CALIFORNIA AT BERKELEY CONDUCTS FOOTBALL GAMES AT THE BERKELEY CAMPUS AND RESCIND AND REPLACE RESOLUTION NO. 63,800–N.S. AND DIRECT THE CITY MANAGER TO PROVIDE ANNUAL NOTICE TO THE PUBLIC OF THE DATES DURING WHICH FINES WOULD BE INCREASED

WHEREAS, the State of California Vehicle Code Section 40203.5 states that cities may establish the amount of parking fines and late payment penalties; and

WHEREAS, on June 24, 2003, the City Council adopted Resolution Number 62,127–N.S. which established a schedule of parking fines and late payment penalties; and

WHEREAS, on March 22, 2005 the City Council adopted Resolution Number 62,848–N.S. which amended the schedule to establish fines and late payment penalties for violations of Berkeley Municipal Code (BMC) Section 14.52.063 which makes it unlawful for a vehicle to park within a pay-and-display area without a dispensing ticket displayed upon the vehicle and BMC Section 14.52.066 which makes it unlawful for a vehicle to improperly display a pay-and-display dispensing ticket within a pay-and-display area; and

WHEREAS, on July 17, 2007 the City Council adopted Resolution Number 63,800-N.S. which established a pilot program for the period from September 1, 2007 to November 11, 2007 inclusive and amended the fine schedule to establish a parking violation fine of \$72, and late payment penalties of \$102 and \$152, respectively, for payments made 27 days and 46 days after the original due date, for violation of BMC Section 14.40.090 in Residential Parking Permit areas designated as A, B and D in the South campus area on September 1, September 15, September 22, October 13, November 3, and November 10, 2007 during University of California football game days: and

WHEREAS, on September 16, 2008 The City Council adopted Resolution Number 64,192-N.S. permanently establishing the increased parking fines specified in Resolution 63,800-N.S. on Saturday Football home game days to be determined annually and reasonably noticed to the public; and

WHEREAS, the University of California football games have substantial attendance that has impacted the parking situation in surrounding neighborhoods with residential parking, namely areas designated A, B, and D which are enforced on specified Saturdays during football home game days; and

WHEREAS, there is a lack of off-street parking around the South campus area and it is the City's intent to reduce private automobile use by promoting mass transit options such as BART and AC Transit; and the current parking fine of \$72 is not sufficient to deter extended game day parking, particularly in comparison to the \$60-100 charged by various institutions for parking near the campus and stadium; and

WHEREAS, increasing fines will help City revenues, a portion of which is to be used to promote mass transit and mitigate the impact of the games on neighborhoods, including police costs and post-game clean-ups; and

WHEREAS, the permanent double parking fines program established by Council adoption of Resolution No. 63,800–N.S. on September 16, 2008 has proven insufficient to address parking concerns for the neighborhoods in residential parking areas A, B and D during Saturday home games; and

WHEREAS, on April 5, 2016, the City Council referred to the Transportation Commission to review current parking fines (\$72) for UC Berkeley Football game day parking in RPP zones A, B, D, F and G and recommend higher fees to deter visitors from parking in those RPP zones; and

WHEREAS, on June 16, 2016, the Transportation Commission reviewed current parking fines (\$72) for UC Berkeley Football game day parking in RPP zones A, B, and D and recommended increasing the citation amount to \$300 and prohibiting parking without a permit to deter visitors from parking in those RPP zones; and

WHEREAS, it is therefore reasonable to establish increased parking violations of \$300 and late payment penalties of \$330 and \$380, respectively, for payments made 27 days and 46 days after the original due date, for vehicles parked in violation of BMC Section 14.40.090 for the following violations: no preferential parking permit displayed, preferential parking permit expired and/or improper preferential permit displayed; and

WHEREAS, since the dates when the University of California at Berkeley conducts home football games changes annually, the City Manager will provide reasonable annual notification to the public of the dates during which the fines are doubled; and

WHEREAS, as shown in Exhibit A, all football day parking violation fines are in effect from 9 AM to 11 PM.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that a parking violation fine of \$300, and late payment penalties of \$330 and \$380, respectively, for payments made 27 days and 46 days after the original due date, be established for violation of BMC Section 14.40.090 in Residential Parking Permit areas designated as A, B, and D in the South campus area during Saturdays when the

University of California at Berkeley conducts football games at the Berkeley campus as specified in the Parking Fine Schedule attached hereto as Exhibit A.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the City Manager is directed to annually determine the dates during which parking fines shall be increased to \$300 and provide reasonable notice to the public of these dates by posting of such dates on signs within the specified RPP areas.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the City Manager is directed to assess the modified University of California Football Game Day Parking Fine program within three years of implementation and recommend to Council whether to continue or modify the program

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that Resolution 63-800-N.S. is hereby rescinded and replaced by this resolution.

PARKING FINE SCHEDULE**EXHIBIT A**

Violation Code Section	Description	Old Amount	New Fine Amount	Add'l \$30 After 27th day	Add'l \$50 On 46th day
21113A cvc	Parked on public grounds	41	41	71	121
21211B cvc	Vehicle blocking bike lane	41	41	71	121
22500A cvc	Parking in an Intersection	47	47	77	127
22500B cvc	Parking in a Crosswalk	47	47	77	127
22500C cvc	Parking in a Safety Zone	47	47	77	127
22500D cvc	Parking in 15Ft of Fire Sta.	47	47	77	127
22500E cvc	Parking in Driveway	47	47	77	127
22500F cvc	Parking on or across sidewalk	47	47	77	127
22500G cvc	Parking construction no permit	47	47	77	127
22500H cvc	Double parked	47	47	77	127
22500I cvc	No parking/stopping coach zone	250	250	280	330
22500J cvc	Parked in tunnel	41	41	71	121
22500kcvc	Parked on bridge	41	41	71	121
22500Lcvc	Blocking disable ramp	250	250	280	330
22502A cvc	18" from curb two-way street	65	65	95	145
22502 cvc	18" from curb one-way street	39	39	69	119
22507.8A cvc	Parking in disabled zone	275	275	305	355
22507.8B cvc	Obstructing access disab. Zone	275	275	305	355
22514 cvc	Within 15' of fire hydrant	65	65	95	145
21718 cvc	Parking on freeway	41	41	71	121
22521cvc	Parked on railroad tracks	41	41	71	121
22522 cvc	Parked w/in 3' of wheelchair ramps	275	275	305	355
22523A cvc	Aband veh on highway	155	155	185	235
22523B cvc	Aband veh on pub/prvt property	155	155	185	235
14.40.010 BMC	30 mnt parking overtime zone	30	30	60	110
14.40.010 BMC	Overtime Zone 10 min limit	30	30	60	110
14.40.010 BMC	Overtime Zone 15 min limit	30	30	60	110
14.40.010 BMC	Overtime Zone 24 min limit	30	30	60	110
14.40.010 BMC	Overtime Zone 5 min limit	30	30	60	110
14.40.030 BMC	Overtime Zone 60 min limit	30	30	60	110
14.40.130A BMC	City Lot - Area Permit Parking	44	44	74	124
14.40.130C BMC	Reserved Parking - No Permit Displayed	36	36	66	116
14.40.130E BMC	Reserved City Hall Parking - Towable	51	51	81	131
14.40.150A BMC	Car parking in motorcycle area	38	38	68	118
14.40.150B BMC	Time limits-m/c zones	38	38	68	118
14.40.040 BMC	Overtime Zone 2 hr limit	30	30	60	110
14.40.050A BMC	Vehicle out. markers (parallel)	35	35	65	115
14.40.050B BMC	Facing wrong way /one way st.	35	35	65	115
14.40.050B BMC	Over 18" from curb-one way st	38	38	68	118
14.40.060A BMC	Outside marks (diagonal)	38	38	68	118
14.40.060B BMC	Diag FW 6'/curb Diag. Front	38	38	68	118
14.40.070 BMC	Tow zone 4-6 p.m.	51	51	81	131
14.40.070 BMC	Tow zone 7-9 a.m.	51	51	81	131

Violation Code Section	Description	Old Amount	New Fine Amount	Add'l \$30 After 27th day	Add'l \$50 On 46th day
14.40.070 BMC	Tow zone 9pm-6am	51	51	81	131
14.40.090 BMC	No preferential permit displayed	36	36	66	116
14.40.090 BMC	Preferential parking pmt improperly displayed	36	36	66	116
14.40.090 BMC	Preferential Park. Permit expired	36	36	66	116
14.40.110 BMC	No Parking Certain Hours	35	35	65	115
14.40.130 BMC	Parking/Standing in City Lots & spaces	42	42	72	122
14.40.130C BMC	Reserved Parking - No Permit Displayed	36	36	66	116
14.40.130E BMC	Reserved City Hall Parking - Towable	51	51	81	131
14.40.160 BMC	Double Parked Commer. Vehicle on Center St.	47	47	77	127
14.44.020 BMC	Commercial Zone No Bus. Permit	44	44	74	124
14.44.020 BMC	Commercial Zone Over Time	44	44	74	124
14.44.030 BMC	Passenger loading	44	44	74	124
14.44.040 BMC	Parking in Bike Zone	42	42	72	122
14.44.050 BMC	Passenger loading zone only	44	44	74	124
14.44.060 BMC	Bus Zone	51	51	81	131
14.44.070 BMC	Unauth. Use of Funeral Zone	38	38	68	118
14.44.080 BMC	Unauth. Use of Taxi Zone	38	38	68	118
14.44.080 BMC	Taxi cab parking only	38	38	68	118
14.52.050 BMC	Expired Meter	30	30	60	110
14.52.060 BMC	Extending meter time	30	30	60	110
14.52.063 BMC	Pay-Display Ticket not displayed	30	30	60	110
14.52.066 BMC	Pay-Display Ticket improperly displayed	30	30	60	110
14.24.070 BMC	Parking on private property	51	51	81	131
14.36.110 BMC	Parking without a permit	39	39	69	119
14.36.030A BMC	Divisional Islands	42	42	72	122
14.36.030C BMC	No parking sign posted	51	51	81	131
14.36.030C BMC	Red Curb (no parking)	51	51	81	131
14.36.030E BMC	No parking railroad tracks	51	51	81	131
14.36.030F BMC	Obstructing Traffic	51	51	81	131
14.36.030G BMC	Construction	51	51	81	131
14.36.050 BMC	On st for 72 consecutive hours	47	47	77	127
14.36.060 BMC	Repair vehicle on street	39	39	69	119
14.36.080 BMC	School Zone	38	38	68	118
14.36.090 BMC	Parking grade curb wheels/brakes	42	42	72	122
14.036.030D BMC	Street Sweeping	36	36	66	116
4000cvc	No current registration	50	50	80	130
4000A cvc	Expired Registration	50	50	80	130
5200 cvc	Missing Plates	25	25	55	105
5201 cvc	License plate not mount properly	25	25	55	105
5202 cvc	Hanging of license plate	25	25	55	105
5204 cvc	Expired tags (read back)	25	25	55	105
5204 cvc	Missing Tags	25	25	55	105
6.24.020I BMC	No Permit Displayed - Reserved Park	35	35	65	115
6.24.060I BMC	Overtime Parking in Meter Lot	30	30	60	110

6.24.090 BMC	Extend Meter lot	30	30	60	110
6.24.100 BMC	Expired Meter in public lot	30	30	60	110
6.24.130 BMC	Motorcycle zone only	35	35	65	115
6.24.130 BMC	No parking before 10 am	35	35	65	115
6.24.130 BMC	Park. Outside designated lines	35	35	65	115
6.24.130 BMC	Public lot Disable zone	275	275	305	355
6.24.130 BMC	Restricted Load zone pub lot	35	35	65	115
6.24.130 BMC	Restricted over 2hr public lot	35	35	65	115
6.24.130 BMC	Unmarked space public lot	35	35	65	115
6.24.140 BMC	Restricted lot back in	35	35	65	115
9.52.140 BMC	Unattended taxi	78	78	108	158
Note: cvc - California Vehicle Code					

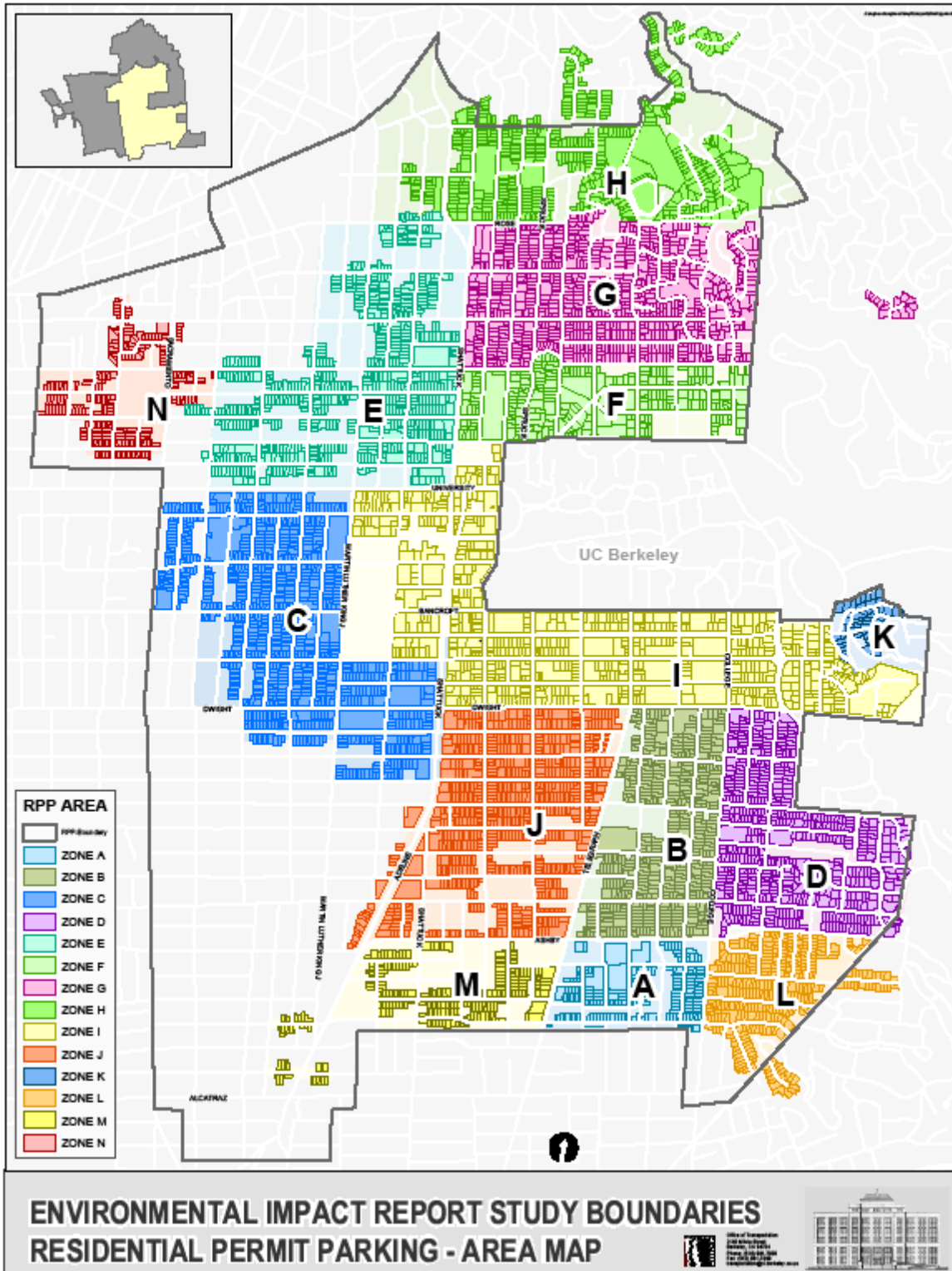
FOOTBALL GAME DAY FINES

Violation Code Section	Description (for enforcement between the hours of 9 :00 AM and 11:00 PM on Saturdays during UC home games) Residential Preferential Parking (RPP) Areas A, B, and D	Old Amount	New Fine Amount	Addt'l \$30 After 27th day	Addt'l \$50 On 46th day
22500A cvc	FD Parking in an Intersection	57	57	87	137
22500B cvc	FD Parking in a Crosswalk	57	57	87	137
22500C cvc	FD Parking in a Safety Zone	57	57	87	137
22500D cvc	FD Parking in 15 ft of Fire Station	57	57	87	137
22500E cvc	FD Parking in Driveway	57	57	87	137
22500F cvc	FD Parking on or across sidewalk	57	57	87	137
22500G cvc	FD Parking construction no permit	57	57	87	137
22500H cvc	FD Double parked	57	57	87	137
22500 I cvc	FD Bus Zone	250	250	280	330
22502A cvc	FD 18" from curb on two way st	56	56	86	136
22507.8B cvc	Obstructing access disab. Zone	275	275	305	355
22522 cvc	*FD parked w/in 3' of wheelchair ramp	275	275	305	355
14.40.010 BMC	FD Overtime Zone 10 min limit	47	47	77	127
14.40.010 BMC	FD Overtime Zone 24 min limit	47	47	77	127
14.40.010 BMC	FD Overtime Zone 3 min limit	47	47	77	127
14.40.010 BMC	FD Overtime Zone 5 min limit	47	47	77	127
14.40.030 BMC	FD Overtime Zone 60 min limit	47	47	77	127
14.40.040 BMC	FD Overtime Zone 2 hr limit	47	47	77	127
14.40.050B BMC	FD-Facing wrong way/one way st	47	47	77	127
14.40.050B BMC	FD-Over 18" one way street	47	47	77	127
14.40.070 BMC	FD Tow zone 4-6 pm	56	56	86	136
14.40.090 BMC	FD Preferential Parking Area	44	44	74	124
14.44.020 BMC	FD Commercial Zone No Bus. Permit	48	48	78	128
14.44.020 BMC	FD Commercial Zone Over Time	48	48	78	128
14.44.030 BMC	FD Passenger loading	48	48	78	128
14.44.060 BMC	FD Coach Zone	50	50	80	130
14.52.050 BMC	FD Expired Meter	36	36	66	116
14.52.060 BMC	FD Extending Meter time	30	30	60	110
14.52.063 BMC	Pay-Display Ticket not displayed	30	30	60	110

Violation Code Section	Description (for enforcement between the hours of 9 :00 AM and 11:00 PM on Saturdays during UC home games) Residential Preferential Parking (RPP) Areas A, B, and D	Old Amount	New Fine Amount	Add'l \$30 After 27th day	Add'l \$50 On 46th day
14.52.066 BMC	Pay-Display Ticket improperly displayed	30	30	60	110
14.36.030A BMC	FD Divisional Islands	56	56	86	136
14.36.030C BMC	FD No parking sign posted	56	56	86	136
14.36.030C BMC	FD Red Curb (no parking)	56	56	86	136
14.36.030F BMC	FD Obstructing Traffic	56	56	86	136
14.36.030G BMC	FD Construction	56	56	86	136
6.24.100 BMC	FD Expired Meter in public lot	36	36	66	116
6.24.130 BMC	FD Outside Designated lines	42	42	72	122
6.24.130 BMC	FD Public lot Disabled Zone	275	275	305	355
6.24.130 BMC	FD Restricted Load zone pub lot	42	42	72	122
6.24.130 BMC	FD Restricted over 2 hr pub lot	36	36	66	116
6.24.130 BMC	FD Unmarked space public lot	42	42	72	122
14.40.090 BMC	No Pref Pmt Displayed (Saturday Home Games)	72	300	330	380
14.40.090 BMC	Pref Pkg Pmt Impropr Disp (Saturday Home Games)	72	300	330	380
14.40.090 BMC	Pref Pkg Pmt Expired (Saturday Home Games)	72	300	330	380

Past due notices are issued 7 days after citation. On the 27th day after the issuance of the citation, the citation increases by \$30. If payment is not received within 45 days of the issuance of the citation, on the 46th day, the citation increases by an additional \$50.

ATTACHMENT 2





Lori Droste
Councilmember District 8

CONSENT CALENDAR
April 5, 2016

TO: Honorable Mayor and Members of the City Council
FROM: Councilmembers Lori Droste, Susan Wengraf, and Laurie Capitelli
SUBJECT: Refer to Transportation Commission to Reassess UC Berkeley Game Day Parking Fines in RPP areas A, B, D, F and G Surrounding Campus

RECOMMENDATION:

Refer to the Transportation Commission to review current parking fines (\$72) for UC Berkeley Football game day parking in RPP zones A, B, D, F and G and recommend higher fees to deter visitors from parking in those RPP zones.

CURRENT SITUATION AND ITS EFFECTS:

Due to the lack of garage parking around the South of campus and the low parking fines, many of vehicles park in the neighborhood RPP zones during UC Berkeley football games. This results in a great inconvenience to residents in these neighborhoods.

In 2008, Councilmember Wozniak created a [pilot program](#), which is still in place, to double parking fines associated with illegal parking in RPP areas A, B, and D on UC Berkeley football game days. The current fine for a game day parking ticket is \$72.

Because fraternities, sororities, and other entities charge \$60-\$100 for game day parking, the current \$72 fine, although more than it previously was, does little to deter visitors from parking illegally in neighborhoods. An increased fee may be an effective deterrent from illegally parking in RPP zones on game days.

ENVIRONMENTAL SUSTAINABILITY:

Increased fees may encourage use of alternative forms of transportation to UC Berkeley football games.

FISCAL IMPACT:

Staff time and increased revenue from parking tickets on game days.

CONTACT:

Councilmember Lori Droste (510) 981-7180
Councilmember Susan Wengraf (510) 981-7160
Councilmember Laurie Capitelli (510) 981-7150

