



Legislation Details (With Text)

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On agenda: 5/6/2019 **Final action:** 5/6/2019
Title: Adopt Resolution No. 2019-20 adopting an amended Uniform Bail Schedule for Parking Violations
Attachments: 1. Att#1 Reso 2018-83, 2. Att#2 Reso 2019-20

Date	Ver.	Action By	Action	Result
5/6/2019	4	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Chris Slama, Interim Director of Community Services
Robert Handy, Chief of Police

Subject:

Adopt Resolution No. 2019-20 adopting an amended Uniform Bail Schedule for Parking Violations

Statement of Issue:

At the December 17, 2018, City Council meeting, Resolution 2018-83 amending the Uniform Bail Schedule was adopted. At the same meeting, the first reading of Ordinance No. 4143 was also introduced which included new sections to the Huntington Beach Municipal Code (HBMC sections 10.50.020 and 10.52.010). When the second reading of Ordinance No. 4143 was approved on January 22, 2019, the previously adopted Resolution 2018-83 did not include the associated bail amounts required to enforce the newly approved HBMC sections 10.50.020 and 10.52.010. Therefore, there is now a need to rescind Resolution 2018-83 and adopt Resolution 2019-20 that includes the recommended bail amounts for the newly approved HBMC sections 10.50.020 and 10.52.010.

Financial Impact:

The City will receive additional revenue from HBMC sections 10.50.020 and 10.52.010. Because these are newly established violations, there is no historical data that could provide the basis for a revenue estimate. The revenue received by the City each year will be dependent upon the number of citations that are issued.

Recommended Action:

Adopt Resolution No. 2019-20, "A Resolution of the City Council of the City of Huntington Beach

Adopting an Amended Uniform Bail Schedule for Parking Violations.”

Alternative Action(s):

Do not approve the recommended action and direct staff accordingly.

Analysis:

At the December 17, 2018, City Council meeting, the City Council adopted Resolution 2018-83 amending the Uniform Bail Schedule for certain parking violations (Attachment 1). At the same meeting, the first reading of Ordinance No. 4148, an Ordinance amending chapters of the Municipal Code relating to On-street Parking Meter Zones and Off-Street City Parking Lots was also approved. The second reading of Ordinance No. 4148 was approved at the January 22, 2019, meeting, and later became effective February 21, 2019. However, at that time, the associated bail amounts needed to enforce HBMC sections 10.50.020 and 10.52.010 were not included in the previously adopted Resolution 2018-83.

Therefore, in order to enforce the new code violations included in Ordinance No. 4148, the corresponding recommended bail amounts must be adopted by way of City Council Resolution, thereby necessitating the need to rescind Resolution 2018-83 and adopt Resolution 2019-20 (Attachment 2).

Ordinance No. 4148 included additions to sections 10.50.020 (Payment of Charges Required) and 10.52.010 (Regulations Regarding Off-Street City Parking Lots). A summary of the new HBMC sections and recommended bail amounts is provided below.

Resolution 2019-20:

10.50.020 (b) - Off Street Parking - No valid permit

\$58

No person shall park or leave standing any vehicle upon any off-street City pay parking lot at any time without payment of the fees, rates and charges established for the use of the lot by Resolution of the City Council.

10.50.020 (d) - Off Street Parking - Curfew

\$42

The payment of fees to a parking meter or pay station does not exempt a person or vehicle from receiving a citation for violation of the posted curfew.

10.52.010 (b) - Off Street Parking Obstruct Traffic

\$42

No person shall obstruct the flow of traffic in any off-street City parking lot.

10.52.010 (c) - Off Street Parking Obstruct Entrance

\$42

No person driving, in control of, or in charge of, a motor vehicle shall obstruct any entrance or any right of way in any off-street City parking lot.

Environmental Status:

Not applicable

Strategic Plan Goal:

Strengthen long-term financial and economic sustainability

Attachment(s):

- 1) Resolution 2018-83, "A Resolution of the City Council of the City of Huntington Beach adopting an Amended Uniform Bail Schedule for Parking Violations."
- 2) Resolution 2019-20, "A Resolution of the City Council of the City of Huntington Beach adopting an Amended Uniform Bail Schedule for Parking Violations."