



Rashi Kesarwani
Councilmember, District 1

CONSENT CALENDAR
OCTOBER 11, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Rashi Kesarwani (Author), Councilmember Terry Taplin (Co-Sponsor)

SUBJECT: Residential Preferential Parking (RPP) Program Expansion for West Berkeley Neighborhoods Within Two Blocks of Commercial Corridors

RECOMMENDATION

Referral to the City Manager to expand the scope of the Residential Preferential Parking (RPP) program as originally proposed by staff during the May 14, 2019 City Council Public Hearing¹ as a way to allow more residents to opt-in to this program.

Expansion of this program should consider:

- Raising permit fees for cost neutrality of the program while increasing both parking enforcement staff and equipment to enable expanded RPP enforcement;
- Adopting a graduated fee increase as recommended by Councilmember Kesarwani in 2019 and presented to Council during the September 10, 2019 City Council meeting² whereby each additional permitted vehicle associated with a particular address pays a higher fee—up to three permits (see Table 1);
- Conducting an analysis of Fiscal Year (FY) 2022 Residential Preferential Parking (RPP) Program costs and revenues and returning to Council with an updated fee increase proposal to be effective in the new fiscal permit year for the program.

¹ May 14, 2019 City Council Meeting Public Hearing: Residential Preferential Parking Program Reform & Expansion Phase II: Recommendations for Increased Enforcement Staffing, Enhanced Football Game Day Enforcement Operations, and Expansion (attached)

² September 10, 2019 City Council Meeting: Residential Preferential Parking (RPP) Program: Summer 2019 Update, p. 5 (attached)

Table 1. Proposed alternate fee structure conceptually suggested by Councilmember Kesarwani in 2019

Permit Type	Current Fee	Proposed Fee	Change from Current
Annual Residential & In-Home Care	\$66	\$66 first permit \$96 second permit \$126 third permit	0% first permit 45% second permit 91% third permit
Semi-Annual Residential & In-Home Care	\$33	\$33 first permit \$48 second permit \$63 third permit	“ “
1-Day Visitor	\$3	\$3	N/A
14-Day Visitor	\$34	\$34	N/A
1-Day Senior Center	\$1	\$1	N/A
Community-Serving Facility	\$83	\$108	30%
Merchant	\$185	\$241	30%
Surcharge per Additional Annual Residential Permit Over Maximum of 3 per Address, if Waiver Approved	\$100	\$100 , applied to 3 rd permit fee (\$126)	N/A

Table taken from the September 10, 2019 City Council Agenda: RPP Summer 2019 Update, p. 5

Eligibility areas to be considered for expansion should also follow the guidelines established in the May 14, 2019 Public Hearing on recommended changes to the RPP program. Specifically, neighbors and neighborhoods would need to satisfy the below requirements in order to opt-in to this program:

- Petitioners obtaining agreement of +51 percent of all housing units in the area;
- Staff verifying limited parking availability in the mid-morning and mid-afternoon;
- Parcel location within two blocks of a major commercial corridor, or adjacent to existing RPP boundaries; and
- In residentially-zoned areas, at least one full block (both sides of a street) must be included in the petition.³

CURRENT SITUATION AND ITS EFFECTS

The City's parking enforcement team is under-resourced and unable to meet the growing demand for services. According to the staff Information Report presented to Council on May 14, 2019, while demands on parking enforcement have increased over the years, staffing levels have remained static. The result has been

³ May 14, 2019 City Council Meeting Public Hearing: Residential Preferential Parking Program Reform & Expansion Phase II: Recommendations for Increased Enforcement Staffing, Enhanced Football Game Day Enforcement Operations, and Expansion, p. 8

parking enforcement officers (PEOs) being unable to enforce parking restrictions in any given area more than once daily rendering our parking enforcement mechanism weak, at best.⁴ The report notes that 18 PEOs patrol geographic areas that include both parking meters and RPP time-limited parking areas, enforcing parking restrictions on more than 1,000 blockfaces with two-hour time limit restrictions, 460 blockfaces with meters of varying time limits, in addition to all other time-limited parking areas throughout the city. Roughly half of parking enforcement time is spent conducting RPP time-limited patrols while the rest is spent enforcing time meters, other time-limited areas, school zones, travel time and dealing with emergencies, such as traffic collisions. Staff do not have the capacity to make multiple visits to a given area on a daily basis. Any new block opting into the RPP program—either in the existing zone or in the possible expanded zone—further reduces the capacity for enforcement.

Current areas of eligibility for RPP permits exclude most of West Berkeley. The current RPP eligibility map on the City of Berkeley’s website (below) shows that the RPP eligibility areas are mostly concentrated east of Sacramento Street, surrounding the University of California, Berkeley. The RPP program was instituted in 1980 to protect Berkeley residential neighborhoods from an influx of non-resident vehicles and related traffic, presumably from students at the university and employees associated with both neighborhood and student-oriented businesses.

⁴ May 14, 2019 Information Report to Berkeley City Council: Residential Preferential Parking Program: Spring 2019 Update (attached).



Current RPP Eligibility Map, taken from the City of Berkeley website, August, 2022. Areas outlined in bold indicate boundary lines.

Residents in close proximity to *any* commercial corridor, however, feel the impacts of non-resident-related traffic and difficulties parking close to one's residence. University and San Pablo Avenues, for instance, host establishments drawing high customer volumes, such as Acme Bread, Thai Table, and Casa de Cultura whose popularity compels people to drive in from various parts of the City and beyond, resulting in parking impacts on residential streets. The District 1 office has also received numerous complaints over the years from residents living within a couple blocks of San Pablo Avenue regarding parking impacts from some of the many automotive businesses that use residential street parking for both employees and customer cars, despite prohibitions against doing so. Residents in these areas are unable to opt-in to the RPP program and have no recourse to combat some of the parking and traffic issues.

Parking demands in residential areas adjacent to San Pablo Avenue are likely to increase as development along the corridor increases. In the District 1 portion

of San Pablo Avenue, north of University Avenue, the below developments are already well underway in the planning and entitlement stages:

- 1740 San Pablo Avenue: 54 units
- 1701 San Pablo Avenue: 110 units
- 1201-1205 San Pablo Avenue: 66 units

The above numbers constitute a total of 230 additional housing units that will be built within a 10 block stretch of San Pablo Avenue and added to the area within the next couple of years. Two additional locations, 1835 and 1200 San Pablo Avenue, have at times had project proposals, though the projects have since stalled. The neighborhood blocks around San Pablo Avenue are currently ineligible to opt-in to the RPP program, and this item seeks to give these blocks an opportunity to opt-in to RPP if they so choose. We note that it is current City policy for residents of new developments to be ineligible for the RPP program.

BACKGROUND

The RPP program, established in 1980, was intended to 1) protect Berkeley residential neighborhoods from an influx of non-resident vehicles and related traffic; 2) help maintain the quality of life in residential areas; and 3) to provide neighborhood parking for residents living on that street. The program limits most non-permit holders to parking for up to two hours, thus keeping more daytime spaces available for residents on a given block, between 9 a.m. and 7 p.m. Monday through Friday, and on some blocks Saturday.

On March 11, 2014, City Council directed staff to evaluate expansion of the RPP program beyond its then-current boundaries.⁵ During a September 19, 2017 City Council Worksession, staff discussed some challenges with the RPP program, notably that it was operating at a deficit, and proposed some solutions to be implemented over the next several years.⁶ On February 27, 2018, staff returned to Council with suggested policy reforms that were all passed:

- Increase permit fees for program cost neutrality;
- Limit annual permits to three per address;
- Expand RPP eligibility to two new zones in West Berkeley⁷

⁵ March 11, 2014 City Council Agenda: Expansion of Permit Parking to Impacted Areas (attached)

⁶ September 19, 2017 City Council Agenda: Residential Preferential Parking (RPP) Program Recommendations (attached)

⁷ February 27, 2018 City Council Agenda: Residential Preferential Parking (RPP) Program Reform and Expansion (attached)

On May 14, 2019, staff recommended an Ordinance amendment to Berkeley Municipal Code Chapter 14.72 to allow RPP in areas zoned Mixed Use-Light Industrial; adoption of a resolution to expand and enhance the RPP program by raising permit fees for cost neutrality while increasing parking enforcement staff and equipment to augment enforcement and improve UC Berkeley home football gameday parking enforcement; adoption of a resolution modifying parking restrictions in specified RPP zones on UC Berkeley home football game days; and adoption of a resolution establishing a new Parking Fine Schedule. That same day, staff also presented an information report updating the Council about the effects of the 2018 RPP Program adjustments. Notably, while the fee adjustment did help reduce the operational deficit, it did not eliminate it. The Ordinance amendment as well as the two resolutions were passed during the May 14, 2019 meeting, while Council recommended the fee increase be referred to the Agenda and Rules Committee for future scheduling and discussion. It was scheduled for the July 23, 2019 City Council Agenda, held over again, and rescheduled for the September 10, 2019 City Council Agenda. During the September 10, 2019 meeting, staff recommended conducting an analysis of Fiscal Year (FY) 2020 Residential Preferential Parking (RPP) Program costs and revenues and returning to Council in early 2020 with updated fee increase proposal(s) to be effective the following fiscal year for program enhancement and expansion. Due to the pandemic, this issue never returned to a Council agenda. This current recommendation simply re-establishes a staff process that had already been set into motion but was abruptly halted due to the pandemic and its effects.

FISCAL IMPACT

There will be costs associated with the RPP Program expansion as well as offsets to those costs. According to the May 14, 2019 Public Hearing, those costs were projected as follows:

Annual cost of \$909,972 from the general fund for:

- Six (6) Parking Enforcement Officers (\$124,818 per FTE; total \$748,907/year)
- One (1) Parking Enforcement Supervisor (\$138,065/year);
- New RPP sign installation, including labor and materials, at \$23,000/year

And, one time costs of \$680,178 for:

- Six (6) parking enforcement vehicles (\$210,000 total)
- Six (6) automated license plate recognition (ALPR) systems (\$78,363 each, \$470,178 total)

These fees would be offset by permit fee increases as well as an increase of revenue from citations. The May 14, 2019 proposed fee increase is shown in Table 2 below:

Table 2. Proposed Permit Fee Increase as presented during the May 14, 2019 Public Hearing, p. 4

Permit Type	Current Fee	Proposed Fee	\$ Increase	% Increase
Annual Residential & In-Home Care	\$66.00	\$90.00	\$24.00	36.4%
1-Day Visitor	\$3.00	\$4.00	\$1.00	33.3%
14-Day Visitor	\$34.00	\$47.00	\$13.00	38.2%
Semi-Annual Residential & In-Home Care	\$33.00	\$45.00	\$12.00	36.4%
Community-Serving Facility	\$83.00	\$114.00	\$31.00	37.3%
Merchant	\$185.00	\$253.00	\$68.00	36.8%
1-Day Senior Center	\$1.00	\$1.00	N/A	N/A
Replacement of Annual, 14-Day, Community-Serving Facility, & Merchant Permits	\$15.00	\$21.00	\$6.00	40.0%

Considerable time has elapsed between that meeting and today which is why an updated fiscal analysis is part of the current recommendation. These numbers and table above have been provided to give an approximation of costs for the RPP program expansion.

ENVIRONMENTAL IMPACTS

The RPP program two-hour time limits and other enforced timed-parking restrictions may encourage some drivers to use alternate modes of travel resulting in reduced parking demand and congestion.

CONTACT

Councilmember Rashi Kesarwani, District 1

(510) 981-7110

Attachments:

- 1) September 10, 2019 City Council Agenda: Residential Preferential Parking (RPP) Program: Summer 2019 Update
- 2) May 14, 2019 City Council Agenda, item #50: Residential Preferential Parking Program Reform and Expansion Phase II: Recommendations for Increased Staffing, Enhanced Football Game Day Enforcement, and Expansion
- 3) May 14, 2019 City Council Agenda, item #61: Residential Preferential Parking: Spring 2019 Update

- 4) February 27, 2018 City Council Agenda: Residential Preferential Parking (RPP) Program Reform and Expansion
- 5) September 19, 2017 City Council Agenda: Residential Preferential Parking (RPP) Program Recommendations
- 6) March 11, 2014 City Council Agenda: Expansion of Permit Parking to Impacted Areas



Office of the City Manager

ACTION CALENDAR
September 10, 2019
(Continued from July 23, 2019)

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Phillip Harrington, Director, Public Works
Subject: Residential Preferential Parking (RPP) Program: Summer 2019 Update

RECOMMENDATION

Direct staff to conduct analysis of Fiscal Year (FY) 2020 Residential Preferential Parking (RPP) Program costs and revenues and return to Council early 2020 with updated fee increase proposal(s) to be effective April 1, 2020 for the FY 2021 permit year, for Program enhancement and expansion.

FISCAL IMPACTS OF RECOMMENDATION

Staff time associated with the ongoing analysis is included in the FY 2020 & FY 2021 Biennial Budget as it is part of the baseline RPP Program.

CURRENT SITUATION AND ITS EFFECTS

This report summarizes changes to the RPP Program since the May 14, 2019 Council Meeting, at which staff presented a package of “mid-term” reforms to the RPP Program.¹ A summary of Council action at this meeting is provided in the Background section below, and the full report is included as Attachment 2.

RPP Program Operations

In July 2019, the City began processing annual RPP permit renewals, visitor permit sales, and new permit applications for FY 2020 using the new Passport parking and citation management system.² This system allows RPP customers to use their license plates as permits, removing the need for bumper permits, and streamlines new RPP permit applications by allowing customers to check their eligibility and submit required documentation online. Fees for FY 2020 permits remained unchanged from FY 2019.

To answer a question from Councilmember Kesarwani, staff also prepared an analysis evaluating the potential of a graduated pricing model for annual RPP permits, whereby

¹ May 14, 2019 *City Council Agenda: Residential Preferential Parking (RPP) Program Reform and Expansion Phase II: Recommendations for Increased Staffing, Enhanced Football Game Day Enforcement, and Expansion* <http://bit.ly/2ZW6Ee5>

² October 16, 2018 *City Council Agenda: Contract: Passport Labs Incorporated for a Parking Management System* <http://bit.ly/2LtRN6N>

the costs for each additional permit up to the limit of three (3) would increase incrementally. The analysis showed that this pricing model could generate revenue on par with the original staff recommendation. Graduated pricing would be more equitable since those who own more cars and have more impact on neighborhood parking would pay a greater share of the Program cost. Implementing such a pricing model is now possible using the Passport system. A summary of this proposal is provided as Attachment 2.

Unfortunately, expanding the RPP Program beyond its current boundaries is not financially possible at this time. As discussed at the May 14, 2019 meeting, additional staff are required to enforce any new areas. Permit fees are an important revenue source supporting the RPP Program, as residents and other permit holders directly benefit from the parking availability resulting from time limit enforcement. With permit renewals currently underway, the window of opportunity to affect FY 2020 permit fees has closed.

BACKGROUND

The RPP Program began in 1980 (1) to protect Berkeley residential neighborhoods from an influx of non-resident vehicles and related traffic; (2) to assure continued quality of life for residents; and (3) to provide neighborhood parking for residents. The Program limits parking for vehicles not displaying an RPP permit in most RPP areas to two hours, and reserves available daytime parking for residents, between 8:00 a.m. and 7:00 p.m. Monday through Friday, and in some areas Saturday.

In March 2014,³ Council directed staff to evaluate expanding the RPP Program beyond its then-current geographic boundaries. At a September 2017 Council Worksession, staff proposed incremental changes to be implemented over a three-year period.⁴ In February 2018, staff returned to Council with a first set of “short-term” policy reforms, including increased permit fees for Program cost neutrality, a limit of three (3) annual permits per address, and an expansion of RPP eligibility to two new zones in West Berkeley.⁵

At the May 14, 2019 Council Meeting, staff presented a package of “mid-term” reforms to the RPP Program. These recommendations included increasing permit fees to pay for new staff and equipment that would enhance enforcement in existing Program areas, particularly on UC Berkeley home football game days, and allowing expansion to new areas. Council took the following action:

³ March 11, 2014 *City Council Agenda: Expansion of Permit Parking to Impacted Areas*: <http://bit.ly/2vTgnqD>

⁴ September 19, 2017 *City Council Agenda: Residential Preferential Parking (RPP) Program Recommendations*: <https://bit.ly/2iWaPDa>

⁵ February 27, 2018 *City Council Agenda: Residential Preferential Parking (RPP) Program Reform and Expansion*: <https://bit.ly/2Yq6tYB>.

- Amended the Berkeley Municipal Code via ordinance to allow residents in areas zoned Mixed Use-Light Industrial and who meet all other requirements applicable to Mixed Use-Residential zoned areas to submit an opt-in petition to the RPP Program, which would be enforced upon hiring new enforcement staff;
- Established via resolution “Enhanced Fine Areas” in portions of RPP zones B, D, F, G, and I to prohibit parking without a valid RPP permit on UC Berkeley home football game days; and
- Established via resolution a new Parking Fine Schedule including parking fines of \$225 for not displaying a valid RPP permit in new Enhanced Fine Areas.

Council did not approve a new fee schedule for RPP permits, which would have increased all permit fees by an average of 37% to generate additional revenue for six (6) new Parking Enforcement Officers, one (1) new supervisor, and associated equipment. These staff positions would allow for enhanced enforcement in existing RPP Program areas, particularly during staff shortages on Cal football game days, and enforcing restrictions in new areas not currently within RPP Program boundaries.

Improving the effectiveness of the RPP Program is a Strategic Plan Priority Project, advancing the City’s goals to:

- Provide an efficient and financially-healthy City government; and
- Be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

ENVIRONMENTAL SUSTAINABILITY

This item has no discernible environmental effects.

RATIONALE FOR RECOMMENDATION

For continued RPP Program cost neutrality, staff seek to present cost and revenue analyses that reflect the most recent available data. Both the original RPP permit fee increase proposal and the alternative model are based on FY 2019 revenues. RPP revenues fluctuate from year to year, and as the City transitions to the new Passport parking management system, any permit fee increase proposals will require an assessment of FY 2020 costs and revenues to maximize accuracy and applicability.

ALTERNATIVE ACTIONS CONSIDERED

Council could schedule a public hearing to approve fee increase proposals based on FY 2019 data, but any authorized changes at this time would have no meaningful fiscal effect until the FY 2021 permit renewal period in spring 2020.

CONTACT PERSON

Farid Javandel, Transportation Manager, Public Works (510) 981-7061
Danette Perry, Parking Services Manager, Public Works (510) 981-7057
Gordon Hansen, Senior Planner, Public Works (510) 981-7064

Attachments:

- 1: Alternative Graduated RPP Fee Increase Model (Based on FY 2019 Revenues)
- 2: May 14, 2019 Council Report: "Residential Preferential Parking Program Reform and Expansion Phase II: Recommendations for Increased Staffing, Enhanced Football Game Day Enforcement and Expansion"

Proposed Alternate FY 2020 Fee Structure

The fee structure below was developed in response to an inquiry from Councilmember Kesarwani. The analysis is based in part on FY 2019 permit revenues.

Permit Type	Current Fee	Proposed Fee	Change from Current
Annual Residential & In-Home Care	\$66	\$66 first permit \$96 second permit \$126 third permit	0% first permit 45% second permit 91% third permit
Semi-Annual Residential & In-Home Care	\$33	\$33 first permit \$48 second permit \$63 third permit	“ “
1-Day Visitor	\$3	\$3	N/A
14-Day Visitor	\$34	\$34	N/A
1-Day Senior Center	\$1	\$1	N/A
Community-Serving Facility	\$83	\$108	30%
Merchant	\$185	\$241	30%
Surcharge per Additional Annual Residential Permit Over Maximum of 3 per Address, if Waiver Approved	\$100	\$100 , applied to 3 rd permit fee (\$126)	N/A

Revenue Estimates

In the May 14, 2019 Council Report, the proposed permit fees resulted in a cost-neutral program. According to staff estimates, the alternate fee structure would result in the same.

RPP Fee Proposal	Description	Estimated Revenue Generated
Original 5/14/19	Raise all RPP permit fees by an average of 37%	\$1,305,240
Alternate 6/2019	Adopt graduated pricing for annual permits & 30% increase for other annual permit types	\$1,304,649
Difference from original		(\$591)

Relevant Statistics

Of nearly 9,500 accounts issued annual residential permits in FY 2019...

- 66% had one (1) permit
- 25% had two (2) permits
- 8% had three (3) permits
- Just over 1% had four (4) or more permits



Office of the City Manager

PUBLIC HEARING

May 14, 2019

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Phillip Harrington, Director, Public Works

Subject: Residential Preferential Parking Program Reform and Expansion Phase II: Recommendations for Increased Staffing, Enhanced Football Game Day Enforcement, and Expansion

RECOMMENDATION

Conduct a public hearing and upon conclusion:

1. Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 14.72 to allow Residential Preferential Parking (RPP) in areas zoned Mixed Use-Light Industrial;
2. Adopt a Resolution to expand and enhance the RPP Program, raising permit fees for cost neutrality while increasing parking enforcement staff and equipment to augment RPP enforcement, improving UC Berkeley home football game parking enforcement, allowing more residents to opt-in, and rescinding Resolution 68,344-N.S.;
3. Adopt a Resolution modifying parking restrictions in specified RPP Zones on UC Berkeley home football game days as follows: establish “Enhanced Fine Areas” to prohibit parking without a valid RPP permit in portions of RPP Zones B, D, F, G, and I; and install new RPP signs in zones B, D, F, G, and I to clearly indicate UC Berkeley home football game day parking prohibitions; and
4. Adopt a Resolution establishing a new Parking Fine Schedule, including parking fines of \$225 per violation of BMC 14.40.090 in new Enhanced Fine Areas on posted UC football game days, and rescinding Resolution No. 68,466-N.S.

SUMMARY

The recommended actions constitute a package of “mid-term” changes to the RPP Program, developed in response to previous Council direction. These changes include: 1) hiring (7) seven more parking enforcement personnel to augment enforcement in existing and new RPP Zones, particularly on UC Berkeley home football game days; 2) instituting new parking restrictions and increased fines on football game days; 3) allowing blocks currently ineligible for RPP to opt-in to the Program; and 4) increasing permit fees to make the Program cost-neutral.

FISCAL IMPACTS OF RECOMMENDATION

The recommendation would provide staffing to increase enforcement of RPP Program parking restrictions, including during UC Berkeley football games, and allow many currently ineligible residents to opt-in to the Program. The capital and operational cost and revenue elements associated with these changes are summarized below. These are new obligations, in addition to existing costs to operate the program.

Football Game Day Enforcement Cost

Implementing the recommendation for the 2019 football season will incur a one-time capital cost of \$80,000, including:

- Approximately 500 new Residential Preferential Parking (RPP) signs specifying new parking restrictions, at a unit cost of \$100 per sign, and 250 person hours to install the new signs for a one-time labor cost of \$25,000; and
- Approximately 500 decals to identify football game dates (replaced annually) at cost of \$5,000. Initial decal installation included with sign installation cost. Annual decal replacement requires 100 person hours at a cost of \$10,000.

Staff calculates the ongoing cost to be \$15,000 annually. Initial and annual costs are summarized in the table below:

		Initial Cost	Ongoing Annual Cost
Signs	Materials	\$50,000	N/A
	Labor	\$25,000	N/A
Decals	Materials	\$5,000	\$5,000
	Labor	Included in sign installation.	\$10,000
Total		\$80,000	\$15,000

Currently, the UC Berkeley Athletics Department reimburses the City for signs produced and installed to manage football game day traffic. The current signs are over 20 years old; in 2017, UC paid approximately \$18,600 for sign and decal maintenance costs. Staff recommend that City leadership coordinate with UC Berkeley to fund the recommended one-time signage/decal upgrades, plus ongoing annual costs.¹

RPP Program Enforcement Enhancement and Expansion Cost

The fiscal impact of all of these recommendations will be realized in the General Fund (011). All permit fees and citation revenues, including revenue from new enforcement staff, will be deposited in the General Fund. In turn, all new staff and equipment costs will come out of the General Fund. Costs include:

- Six (6) Parking Enforcement Officers (\$124,818 per FTE; total \$748,908/year), and one (1) Parking Enforcement Supervisor at \$138,065/year;

¹ If UC Berkeley is unable to pay this cost, then the funding would come from the General Fund.

- Six (6) parking enforcement vehicles (\$210,000 total), each equipped with standard automated license plate recognition (ALPR) systems at \$78,363 each (\$470,178), annualized over a five-year period;² and
- New RPP sign installation, including labor and materials, at \$23,000 per year.³

Estimated New Revenue

During the 2018 season, football-related RPP citations resulted in \$49,100 in revenue, and staff anticipates the new “Enhanced Fine Areas” to generate an additional \$31,650. More significantly, hiring six (6) more PEOs is expected to increase citation revenue in both new and existing RPP areas. Staff estimate that each new PEO would issue up to \$75,000/year in RPP citations, for a total of \$450,000/year.

Incremental Fiscal Impact in FY 2020

Hiring of new PEOs and procurement of associated enforcement equipment would take place over the course of FY 2020, resulting in incremental increases in new citation revenue as new staff are selected, trained, and deployed. Similarly, each opt-in petition for new areas will take time to verify and bring to Council for approval, resulting in delayed revenues from permits purchased in expansion areas. Therefore, the full fiscal impact of the Program’s expansion and enhancement will not be seen in FY 2020. Staff will continue to monitor the Program’s costs and revenues as new enforcement staff are hired.

User Fee Increases for Cost Neutrality

Per Council Budget Policies,⁴ the RPP Program should pay for itself. As of March 2019, the RPP Program still runs a deficit of approximately \$124,675. The deficit has shrunk by \$71,125 since FY 2017, when the deficit was approximately \$195,800. This deficit reduction, but not elimination, may be due in part to a decline in permit revenues following the 20% fee increase on April 1, 2018. Customers may also have reevaluated their needs in light of the new maximum of three (3) annual permits per address.

The proposed fee structure would go into effect June 1, 2019, to support increasing enforcement in FY 2020. It is estimated to generate approximately \$368,280 of additional revenue, including \$21,600 from annual permit sales in potential new opt-in areas, for the General Fund (Fund 011). The following table reflects increases for each type of permit in the RPP fee structure to result in a cost-neutral Program.

² Proposed permit fees incorporate half of PEO salary costs, and half of the one-time vehicle and equipment costs, as RPP enforcement accounts for approximately half of all parking enforcement duties. Remaining costs are expected to be covered by new revenues resulting from new staff enforcing other duties, such as street sweeping, parking meter payments, and school zones.

³ Up to twenty blocks in new areas would be allowed to join the Program per year. Staff assumes six RPP signs per block (three signs on each side of the block), and approximately \$1,150 per block.

⁴ “Council Budget Policies”: <http://bit.ly/2z4UiFY>

Permit Type	Current Fee	Proposed Fee	\$ Increase	% Increase
Annual Residential & In-Home Care	\$66.00	\$90.00	\$24.00	36.4%
1-Day Visitor	\$3.00	\$4.00	\$1.00	33.3%
14-Day Visitor	\$34.00	\$47.00	\$13.00	38.2%
Semi-Annual Residential & In-Home Care	\$33.00	\$45.00	\$12.00	36.4%
Community-Serving Facility	\$83.00	\$114.00	\$31.00	37.3%
Merchant	\$185.00	\$253.00	\$68.00	36.8%
1-Day Senior Center	\$1.00	\$1.00	N/A	N/A
Replacement of Annual, 14-Day, Community-Serving Facility, & Merchant Permits	\$15.00	\$21.00	\$6.00	40.0%

The proposed fee structure is estimated to generate approximately \$1,305,240 in revenue for the General Fund in FY 2021, once all new staff have been hired and anticipated expansion has occurred. This increase of \$368,280 in revenue would close the projected deficit, resulting in a cost-neutral Program (the \$600 difference is within the margin of approximation). With the proposed fee increase, the total Program revenue is projected to be \$3.41 million including revenue resulting from an increase in RPP-related citations due to higher staffing levels and new football fines.

RPP Program Financial Components	April 2018-March 2018 Actuals	FY 2021 Projections
Total RPP Permit Fee Revenue	\$936,960	\$1,305,240
RPP-Related Citation Revenue	\$1,573,840	\$2,023,840
Football RPP-Related Citation Revenue	\$49,100	\$80,750
Total Revenue	\$2,559,910	\$3,409,830
Total RPP Program Costs	\$2,684,580	\$3,409,230
RPP Program Deficit/Surplus	(\$124,670)	\$600

CURRENT SITUATION AND ITS EFFECTS

This report represents “mid-term” changes to the RPP Program as part of ongoing RPP Program Reform & Expansion. Building on the initial “short-term” changes enacted by Council in February 2018, described in the accompanying Information Report on this Agenda, this report recommends “mid-term” changes that respond to remaining resident requests and Council referrals.

UC Berkeley Football Game Day Parking Demand

The UC Berkeley football season typically spans twelve (12) games between September and November. Up to seven (7) games per year are played at California

Memorial Stadium (“stadium”), near the eastern end of Bancroft Avenue. Most home games occur on Saturday afternoons or evenings. Neighborhoods surrounding UC Berkeley currently have RPP. South of campus, RPP Zones A, B, D, and K are enforced Monday to Saturday, with the exception of Zones I (Telegraph) and L (Claremont), which are not enforced on Saturday. North of campus, RPP Zones F and G are enforced Monday through Friday.

Game attendees who drive and park in surrounding neighborhoods can make it difficult for some residents to find parking near their homes during games. In fall 2017, the City analyzed game day parking south of campus.⁵ The analysis found that parking occupancy in the study area increased by about 25% on a game day compared to a non-game day, with increases of approximately 35-50% closest to campus (RPP Zones B, D, and I). Anecdotal evidence from residents also suggests poor parking by visitors may impede access to residential driveways at times.

Existing Game Day Parking Restrictions

Special parking restrictions and enforcement on football game days currently includes:

- Increased fines for certain parking violations⁶ within the boundaries of Cedar Street (north), Berkeley-Oakland city limits (south and east), and Oxford and Fulton Streets (west), with double fines in RPP Zones A, B, and D; and
- Tow-away zones for all vehicles on certain streets close to campus,⁷ and additional no-parking areas at metered parking spaces in the Southside and Northside areas.

The Berkeley Police Department (BPD) requires substantial staff time and resources for football game day duties. BPD typically assigns sworn officers on overtime to patrol areas near the stadium to discourage bad behavior.⁸ Any staffing gap is filled by parking enforcement personnel. Between five and seven PEOs may be reassigned to game day duty, with one PEO specifically assigned to regulate access to the Panoramic Hill neighborhood (RPP Zone K). That leaves between two and four PEOs to enforce meter payments, curb markings, or RPP time limits elsewhere in the City. As shown in the table below, the City does not have enough PEOs to provide regular Saturday enforcement in addition to football duties on game days.

Enforcement Duties	Number of Assigned PEOs
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⁵ Specifically, Zones A, B, D, I, and L. While not explicitly studied, staff assume neighborhoods north of campus experience similar game day parking demand patterns.

⁶ Football game day defined as 9:30 a.m. to 11 p.m., regardless of game start time. Most football game day citation rates are 150% of non-game day citation rates. For example, a citation for a vehicle parked in a No Parking Zone (red curb) that is normally \$64 costs \$96 on a game day.

⁷ For example: Piedmont Avenue between the stadium and Channing Way, Bancroft Way between Warring Street and Bowditch Street, and College Avenue between Bancroft Way and Dwight Way.

⁸ UC Berkeley reimburses the City for BPD overtime costs.

	Non-Game Days	Football Game Days
Game Day Activities	0	5-7
Parking Meters, Curbs, Time Limits, and RPP	7-9	2-4

Requests for Further Program Expansion

In the past year, staff received four (4) opt-in requests from residents outside of the current RPP eligibility area, all of them in northwest Berkeley.⁹ In the previous five years, staff have received another five (5) requests from residents outside of the program boundaries.¹⁰ A map depicting these requests is provided as Attachment 5.

Recommendation: Increase and Enhance RPP Enforcement, Including on Football Game Days, and Expand RPP Eligibility

1. Enhanced Enforcement in Existing RPP Areas

Due to staffing constraints discussed in the accompanying Information Report on this Agenda, enforcement in existing RPP areas occurs only once per day. Staff recommend hiring sufficient parking enforcement staff to resume morning and afternoon patrols of existing RPP areas. This will help reinforce RPP time limits, particularly on streets near popular destinations such as public facilities or commercial districts. Increased patrols may also reduce the amount of one-off requests from residents who do not observe enforcement as frequently, which reduce PEOs’ ability to conduct regularly-scheduled beat patrols.

To further increase parking enforcement capacity, staff also recommend that PEOs should no longer accompany street sweeping vehicles. Instead, beat officers would enforce restrictions during the three-hour restriction window, before the sweeper cleans the street, to allow time for other responsibilities.¹¹ Additionally, staff strongly recommend against introducing additional permit types for resident services, e.g., ‘nanny permits’, or ‘gardener permits’, which serve as exemptions from RPP restrictions. In addition to further increasing already high parking demand in some areas, adding new permits for non-residents dilutes the Program’s effectiveness for all existing permit holders and encourages more driving, which is contrary to the City’s

⁹ Requests received in FY 2019 include: 10th Street between Cedar and Jones Streets; 10th Street from University Avenue to Allston Way, Addison Street from 10th Street to San Pablo Avenue, and Allston Way from 10th Street to San Pablo Avenue; Camelia Street from 7th to 8th Street; and Page Street from 8th to 9th Street.

¹⁰ Requests received prior to FY 2019 include: Campus Drive from Avenida Drive to the Berkeley Lab Campus; Spruce Street from Los Angeles Avenue to Eunice Street; Stannage Avenue between Gilman Street and Harrison Street; Stanton Street from Ashby Avenue to Prince Street; and various areas adjacent to Solano Avenue.

¹¹ In the future, street sweeping vehicles may be equipped with GPS beacons, which would allow residents to check when streets reopen for parking in real-time.

Climate Action Plan goals of reducing vehicular emissions.

2. Enhanced Game Day Parking Management and Enforcement

In response to Council referrals, staff has prepared a proposal for the 2019 football season to improve parking availability for residents in neighborhoods closest to campus. Illustrated in Attachment 6, this proposal builds on existing game day restrictions by adding tougher penalties for non-residents closer to the stadium:

- **New tow-away areas for vehicles without a valid RPP permit** on streets within one quarter-mile of the stadium (including portions of RPP Zones D and I), where demand was heaviest on the game day analyzed in fall 2017.
- **New “Enhanced Fine Areas”** on streets within one half-mile of the stadium (including portions of RPP Zones F and G north of campus and portions of Zones B and D south of campus), where vehicles without a valid RPP permit will be subject to a one-time fine of \$225.¹²

This proposal maximizes game day staff capacity and effectiveness in areas where residents experience the most inconvenience. While current enforcement requires two passes to determine whether a non-permitted vehicle exceeds the time limit, under this proposal a PEO will need to check only once to verify whether a vehicle has a permit.

Signage is critical to effective enforcement of parking restrictions. In addition to clearly defining expectations for visitors, signage justifies the issuance of citations that violate posted restrictions. Details about the costs and content of new signage required to implement this proposal is provided in the Fiscal Impacts section of this report.

3. Additional Strategies to Increase Parking Availability on Game Days

While some street parking spaces near the stadium are restricted on game days, metered parking is available for visitors in Downtown, Southside/Telegraph, and the Northside area.¹³ Staff will return to Council later this year with options for special events, including adjusting special event rate setting ability at City parking garages, and piloting demand-responsive special event pricing at goBerkeley parking meters.

4. Further Expansion of RPP Program Eligibility

Although there have been relatively few opt-in requests from outside the current Program boundary, they still represent a customer need that the City cannot meet with existing staffing levels. To maximize enforcement resources, currently ineligible residents would be able to opt-in under the following conditions:

¹² Staff are sensitive to low income residents and visitors who may not be able to afford this fine. Options include a payment plan (AB 503), as well as applying to perform Community Service in lieu of paying for parking citations.

¹³ Meters operate 9 a.m. to 6 p.m. Monday to Saturday. On the Northside, Hearst Avenue between Euclid Avenue and La Loma Avenue is a tow-away zone on game days.

- A. Meet all existing requirements, including petitioner obtaining agreement of 51+% of all housing units in an area, and staff verifying limited parking availability in the mid-morning and mid-afternoon;
- B. Parcels must be located within two (2) blocks of a major commercial corridor (e.g., San Pablo Avenue or Gilman Street); or be adjacent to existing RPP boundaries; and
- C. In residentially-zoned areas, at least one full block (i.e., two sides of a street) must be included in the petition.

Petitioners in areas zoned Mixed Use-Residential or Mixed-Use Light Industrial will be subject to restrictions approved by Council in 2018 for Mixed Use Area P, including a reduced maximum of two (2) annual permits available per address. While slightly more restrictive than current requirements, this expansion approach would allow all petitioners who have submitted opt-in requests to date to be eligible for RPP.

5. Staffing Requirements

Enhanced enforcement, including new football game day restrictions, requires five (5) new PEOs and one (1) Parking Enforcement Supervisor, plus standard equipment. Expansion requires one (1) additional PEO for every twenty full blocks (i.e., both sides of a street) added to the Program, plus standard equipment.

BACKGROUND

The RPP Program began in 1980 (1) to protect Berkeley residential neighborhoods from an influx of non-resident vehicles and related traffic; (2) to assure continued quality of life for residents; and (3) to provide neighborhood parking for residents. The Program limits parking for vehicles not displaying an RPP permit in most RPP areas to two hours, and reserves available daytime parking for residents, between 9:00 a.m. and 7:00 p.m. Monday through Friday, and on some blocks Saturday.

In March 2014,¹⁴ Council directed staff to evaluate expanding the RPP Program beyond its then-current geographic boundaries. At a September 2017 Council Worksession, staff discussed several challenges with the RPP Program, and proposed incremental solutions to be implemented over the next three years.¹⁵ In February 2018, staff returned to Council with a first set of “short-term” policy reforms, including increased permit fees for Program cost neutrality, a limit of three (3) annual permits per address, and an expansion of RPP eligibility to two new zones in West Berkeley.¹⁶ Improving the effectiveness of the RPP Program is a Strategic Plan Priority Project, advancing the City’s goals to:

¹⁴ March 11, 2014 *City Council Agenda: Expansion of Permit Parking to Impacted Areas*: <http://bit.ly/2vTgnqD>

¹⁵ September 19, 2017 *City Council Agenda: Residential Preferential Parking (RPP) Program Recommendations*: <https://bit.ly/2iWaPDa>

¹⁶ February 27, 2018 *City Council Agenda: Residential Preferential Parking (RPP) Program Reform and Expansion*: <https://bit.ly/2Yq6tYB>.

- Provide an efficient and financially-healthy City government; and
- Be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

Football Game Day Enforcement

On April 5, 2016, Councilmembers Capitelli, Droste, and Wengraf sponsored a Referral to the Transportation Commission to review game day parking fines in RPP areas around campus, and to recommend higher fees to deter visitors from parking in those areas.¹⁷ On July 25, 2017, the Transportation Commission submitted a Council Report recommending an increase of game day parking fines to \$300 for vehicles without a valid RPP permit in Zones A, B, and D south of campus, but Council did not adopt the Commission's recommendation.¹⁸ On September 25, 2018, Councilmembers Droste, Wengraf, and Mayor Arreguin submitted a referral to the City Manager to implement game day parking restrictions similar to the Transportation Commission's 2017 proposal, but taking into account additional concerns such as parking on the north side of campus.¹⁹

ENVIRONMENTAL SUSTAINABILITY

Increasing parking fines for vehicles without valid RPP permits on football game days should increase parking availability for residents in neighborhoods near campus, reducing traffic congestion and vehicle emissions as drivers spend less time searching for parking. Increased fines may also encourage the use of alternative forms of transportation to UC football games.

Expansion of the RPP Program may encourage some drivers who work in commercial areas adjacent to proposed RPP areas to consider using other modes of travel, potentially reducing parking demand and congestion. While use of these other transportation modes may result in a corresponding reduction in traffic and greenhouse gases, staff anticipate the "two-hour shuffle" (i.e., moving a vehicle every two hours to avoid a ticket) may also begin to occur in new RPP areas among commuters who continue to drive. This behavior would have an adverse impact on traffic congestion, air quality, and excess fuel consumption.

RATIONALE FOR RECOMMENDATION

At the September 19, 2017 Worksession, Council expressed support for a roadmap for RPP reform and expansion, including short-, mid-, and long-term changes to the

¹⁷ April 5, 2016 *City Council Agenda: Refer to Transportation Commission to Reassess UC Berkeley Game Day Parking Fines in RPP Areas A, B, D, F and G Surrounding Campus* <https://bit.ly/2GRoSzi>

¹⁸ July 25, 2017 *City Council Agenda: Referral Response: Reassess UC Berkeley Game Day Parking Fines in RPP Areas A, B, D, F, and G Surrounding Campus* <https://bit.ly/2fwXaEj>

¹⁹ September 25, 2018 *City Council Agenda: Refer to the City Manager UC Berkeley Game Day Parking Restrictions and Fines in RPP Surrounding Campus* <https://bit.ly/2EwSnfS>

Program. Short-term recommendations were approved by Council in February 2018. The proposals contained in this report comprise staff's "mid-term" recommendations.

In their September 25, 2018 referral, Councilmembers Droste, Wengraf, and Mayor Arreguin supported increasing parking fines to increase parking availability for residents affected by football game demand. Previously, the Transportation Commission has also supported higher fines.

ALTERNATIVE ACTIONS CONSIDERED

The following table summarizes four alternatives considered by staff:

Alternative	Estimated Annual Permit Fee
<u>Option 1: Staff Recommendation, Enhanced RPP and Football Enforcement, and Expansion, Without Changing Saturday Enforcement.</u>	\$90/year (+36% / +\$24)
<u>Option 2: Saturday Enforcement in All Areas, Enhanced RPP and Football Enforcement, and Expansion</u> <ul style="list-style-type: none"> • Implement Saturday patrols of all RPP Zones,²⁰ plus increased RPP and football enforcement, and expansion as in Option 1 • Increase permit fees to eliminate deficit and add seven (7) PEOs and one (1) supervisor for increased RPP enforcement, one (1) PEO per twenty new blocks/year, and equipment 	\$97/year (+47% / +\$31)
<u>Option 3: Expansion and Enhanced Football Enforcement</u> <ul style="list-style-type: none"> • Implement enhanced football enforcement and expansion as in Option 1 • No change to existing RPP enforcement levels/frequency • Increase permit fees to eliminate deficit and add three (3) PEOs and one (1) supervisor for football, one (1) PEO per twenty new blocks/year, and equipment 	\$88/year (+34% / +\$22)
<u>Option 4: Expansion Only</u> <ul style="list-style-type: none"> • Expand RPP Program eligibility per guidelines in Option 1 • No changes to existing RPP and football enforcement levels • Increase permit fees to eliminate deficit and add one (1) new PEO and equipment per twenty new blocks/year 	\$82/year (+24% / +\$16)

Council could also reject all options, which would maintain the status quo RPP Program, including its structural deficit.

CONTACT PERSON

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 Danette Perry, Parking Services Manager, Public Works (510) 981-7057
 Gordon Hansen, Senior Planner, Public Works (510) 981-7064

Attachments:

- 1: Ordinance
- 2: Resolution: Fees: Residential Preferential Parking Permits
- 3: Resolution: Establish “Enhanced Fine Area” and Double Fine Locations
- 4: Resolution: Modify Parking Violation Fine Schedule
 - Exhibit A: Schedule of Fines and Late Payment Penalties for Parking Violations
 - Exhibit B: List of New Parking Violations

²⁰ Adding enforcement at streets with RPP restrictions in Zones C, E, F, G, H, I, J, L, M, O, and P.

Residential Preferential Parking Program Reform & Expansion
Phase II: Recommendations for Increased Enforcement Staffing, Enhanced
Football Game Day Enforcement Operations, and Expansion

PUBLIC HEARING
May 14, 2019

- 5: Public Hearing Notice
- 6: FY 2019 and Prior Out of Area RPP Opt-In Requests
- 7: Proposed 2019 UC Berkeley Football Game Day Parking Restrictions

ORDINANCE NO. #,###-N.S.

AMENDING BERKELEY MUNICIPAL CODE CHAPTER 14.72 TO ALLOW FURTHER EXPANSION OF THE RESIDENTIAL PREFERENTIAL PARKING (RPP) PROGRAM

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 14.72.030 is amended to read as follows:

14.72.030 Definitions.

A. "Designated residential parking permit area" means any contiguous area upon which the Council imposes parking limitations pursuant to the authority granted by this chapter.

B. "Block front" means all of the property on one side of a street between two consecutive intersecting streets.

BC. "Mixed use" means the use of a lot or building with two or more different land uses including, but not limited to, residential, commercial, retail, office or manufacturing, in a single structure or a group of physically integrated structures; in a neighborhood context, it means blocks containing single-use residences interspersed with other land uses, such as commercial or industrial.

DC. "Mixed Use-Residential" and "Mixed Use-Light Industrial" refers to the zoning designations so defined in Berkeley Municipal Code Chapters 23E.84 and 23E.80, respectively.

ED. "Assessor's Use Code" means the code used by the Alameda County Assessor to assess property for property tax purposes. These codes cover a range of building descriptions and uses, including a variety of residential uses.

FE. "Nonresidential vehicle" means a motor vehicle not eligible to be issued a residential parking permit, pursuant to the terms and conditions of this chapter, for the specific area in which it is parked. However, it could be eligible for a local business parking permit, or any other parking permit the council shall designate.

GF. "Residential parking permit" means a permit issued under this chapter which, when displayed upon a vehicle, as described herein, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.

HG. "Local business parking permit" means a permit issued under this chapter which, when displayed upon a motor vehicle, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.

IH. "Trapped resident" means: 1) any resident whose dwelling is on a block that may not legally opt-in because less than 80% of the block fronts are residentially zoned and

either: a) whose address is on a block front adjacent to and/or surrounded by block fronts that are already included in the RPP program; or b) whose address is within the general boundary of a designated RPP area; or 2) any resident whose dwelling abuts controlled curb parking and either: a) whose address is on a block front adjacent to and/or surrounded by RPP areas; or b) whose address is within the general boundary of a designated RPP area.

JJ. "Neighborhood-service community facility" means churches, schools and senior centers located wholly within the general boundary of an RPP designated area.

KJ. "Neighborhood-serving business and establishment" means any business or establishment located in a neighborhood commercial district as defined in the Zoning Ordinance Section Cl, Clb, Clc, Clb(E).

LK. "One-day visitor permit" means a parking permit issued pursuant to this chapter or an ordinance enacted pursuant to authority granted herein, which shall exempt the vehicle from parking time restrictions pursuant to this chapter, for the date indicated upon the face of said permit.

LM. "Two-week visitor permit" shall mean a parking permit issued pursuant to this chapter or an ordinance enacted pursuant to authority granted herein, which shall exempt the vehicle from parking time restrictions established pursuant to this chapter for a period of 14 consecutive calendar days, beginning upon the date indicated upon the face of said permit.

NM. "Motor vehicle" shall be an automobile, truck, motorcycle or other self-propelled form of transportation not in excess of 8,000 pounds gross weight and not in excess of 20 feet in length. A trailer, trailer coach, utility trailer, motor home/(RV), or any other type of vehicle as defined in the California Vehicle Code that is not self-propelled, is not eligible for an RPP permit.

ON. "Controlled curb parking" means any on-street parking with existing parking limitations, such as meters, time restrictions, red zone, etc.

PO. "Schools" shall mean any school or other place of learning providing a pre-school, elementary or secondary level of study, and which regularly employs a staff of at least 15 certificated persons regularly employed as a classroom teacher.

QP. "Senior centers" means the three senior centers affiliated with the City: North Berkeley Senior Center, South Berkeley Senior Center and the West Berkeley Senior Center.

Section 2. That Berkeley Municipal Code Section 14.72.050 is amended to read as follows:

14.72.050 Designation of a residential permit parking area.

A. There shall be two alternative processes by which City Council could consider any area for designation as a residential permit parking area:

1. Residents petition. The City Council shall consider for designation as a residential permit parking area any proposed area for which a petition has been submitted which meets and satisfies the following requirements:

a. Prior to obtaining signatures, neighborhood organizers shall consult with City staff to assure that the proposed area meets guidelines set in the administrative regulations for the establishment of permit parking boundaries.

b. The petition shall contain a description or a map showing the proposed residential permit parking area.

c. Said description or map shall be followed in the petition by a statement describing the residential permit parking program and the current residential permit fees.

d. The statement shall be followed by a signature, printed name, address, and date of signing of the application by a number of adult residents including at least 51% of the housing units within the area.

e. For applicants in areas zoned ~~Mixed Use-Residential~~ or Mixed Use-Light Industrial, a petition shall only be deemed valid if at least 51% of the housing units on each block ~~face-front~~ have an address that has a residential Assessor's Use Code.

f. All petitions shall be the same as the standard petition form developed by City staff. Any petition form different from the standard petition form shall be deemed invalid for the purposes of this chapter.

g. In the proposed residential permit parking area, at least 80% of the block fronts with unlimited on-street parking must be residentially zoned, and at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.

h. In areas zoned ~~Mixed Use-Residential~~ or Mixed Use-Light Industrial, at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.

2. City Council initiation. City Council shall consider for designation as a residential permit parking area any area for which the following requirements have been met:

a. City Council shall initiate the area as a residential permit parking area.

b. For areas zoned ~~Mixed Use-Residential~~ or Mixed Use-Light Industrial, Council shall only initiate the area as a residential permit parking area if at least 51% of the housing

units on each block face-front have an address that has a residential Assessor's Use Code.

c. In the proposed residential permit parking area at least 80% of the block fronts with unlimited on-street parking must be residentially zoned, and at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m. or unlimited on-street parking is projected to be impacted by parking spillover from a more congested residential permit parking area.

d. In areas zoned Mixed Use-Residential or Mixed Use-Light Industrial, at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.

e. A notice of intent to establish permit parking shall be sent to all addresses within the proposed residential parking permit area.

B. Upon receipt by the City Council of a petition as described in subsection A.1 of this section, or after Council has initiated a residential permit parking area as described in subsection A.2 of this section, the Council shall:

1. Undertake or cause to be undertaken such surveys or studies which it deems necessary.

2. Cause to be drafted a resolution which would establish a residential permit parking area based upon the aforementioned proposal and studies, including all regulations and time restrictions determined by the Council to be reasonable and necessary in such area.

C. The Council shall thereafter conduct a public hearing on said draft resolution. Notice of the hearing shall be posted at least ten days prior to the hearing on all block fronts proposed to be included in the residential permit parking area. Following the hearing, the City Council may enact, amend or reject said draft resolution in any manner, including but not limited to, modification of boundaries of the proposed area and the restrictions imposed on such proposed area. In order to grant permit parking designation, Council shall find that the designation will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing in the area of designation. In reaching this decision, consideration shall be given to the residents' support for residential permit parking, the existing parking conditions, the expected effectiveness of residential permit parking in improving parking conditions, and the location and size of the residential permit parking area.

Section 3. That Berkeley Municipal Code Section 14.72.090 is amended to read as follows:

14.72.090 Residential parking permit.

A. The City Manager and/or his/her designee shall issue residential parking permits with a term not to exceed one year to motor vehicles which comply with the requirements set forth in this section.

1. No more than three (3) permits may be purchased for each residential address. Applicants may request a waiver if additional permits are needed.

2. In areas zoned Mixed Use-Residential (MU-R) or Mixed Use-Light Industrial (MULI), no more than two (2) permits may be purchased for each residential address. Applicants may request a waiver if additional permits are needed.

3. The City Traffic Engineer is authorized to issue such rules and regulations necessary to grant waivers to the annual permit limits.

B. A residential parking permit may be issued for a motor vehicle only upon application of the following person:

1. The applicant must demonstrate that he or she is currently a resident of the area for which the permit is to be issued; and

2. The applicant must demonstrate that he or she has ownership or continuing custody of the motor vehicle for which the permit is to be issued; and

3. Any motor vehicle to be issued a permit must have a vehicle registration indicating registration within the area for which the permit is to be issued.

C. A residential parking permit may in addition be issued for any vehicle in the area regularly utilized by a person who owns or leases commercial property and actively engages in business activity within the particular residential permit parking area. However, no more than one parking permit, or any greater number which the City Council may determine appropriate for the particular residential permit parking involved area, may be issued for each business establishment for a motor vehicle registered to or under the control of such a person.

D. A residential parking permit may be issued for any vehicle utilized in the area by a nonresidential nonbusiness enterprise, such as a church, school, or hospital, located wholly or partially within the particular residential permit parking area. However, no more than one parking permit, or any greater number which the City Council may determine appropriate for the particular permit parking area involved, may be issued for each such enterprise within each permit area for a motor vehicle registered to or under the control of such an enterprise.

E. Any person to whom a residential parking permit has been issued pursuant to this section shall be deemed a permit holder.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

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

FEEES: RESIDENTIAL PREFERENTIAL PARKING PERMITS

WHEREAS, on February 27, 2018, Council adopted Resolution No. 68,344-N.S., establishing a revised fee schedule for parking permits for annual residential preferential parking; 1-Day Visitors, 2-Week Visitors, and annual in-home care, annual community-serving facility, annual merchant, 1-Day Senior Center, Semi-annual residential, and Semi-annual in-home care permits issued for the Residential Preferential Parking (RPP) Program, and rescinded Resolution No. 66,895-N.S.; and

WHEREAS, the current RPP Program is operating at an annual deficit of at least \$124,675; and

WHEREAS, staffing for the RPP Program will be increased to allow for enhanced enforcement activities in existing Program areas, a comprehensive overhaul of University of California, Berkeley football game day parking, and actively managed expansion of opt-in eligibility; and

WHEREAS, increased staffing will incur additional yearly costs, but will also deliver new citation revenue;

WHEREAS, it is necessary to increase RPP permit fees in order to operate the RPP Program as a cost-neutral program in accordance with Council Budget Policies.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following fees for the RPP Program are hereby established:

Permit Type	Permit Fees
Annual Residential & In-Home Care	\$90.00
1-Day Visitor	\$4.00
14-Day Visitor	\$47.00
Semi-Annual Residential & In-Home Care	\$45.00
Community-Serving Facility	\$114.00
Merchant	\$253.00
1-Day Senior Center	\$1.00
Replacement of Annual, 14-Day, Community-Serving Facility, & Merchant Permits	\$21.00
Surcharge Per Additional Annual Residential Permit Over Maximum, Only If Waiver is Approved	\$100.00

BE IT FURTHER RESOLVED that these fees shall be effective June 1, 2019 for FY 2020 permit purchases and shall be deposited into the General Fund.

BE IT FURTHER RESOLVED that Resolution No. 68,344-N.S. is hereby rescinded effective June 1, 2019.

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

ESTABLISHING THE ZONES FOR “ENHANCED FINE AREAS” AND FOOTBALL GAME DAY VIOLATIONS, AND AUTHORIZING THE CITY MANAGER TO MAKE AN ANNUAL DETERMINATION AND NOTICE OF DATES ON WHICH FOOTBALL DAY VIOLATIONS WILL BE ISSUED

WHEREAS, City Council Resolution No. 65,813-N.S. restated the geographic area for football game day citations; and

WHEREAS, University of California football games attract a large number of visitors who drive to the game and park in residential neighborhoods to the north and south of campus, which typically makes it difficult for residents to find parking in close proximity to their homes on football game days; and

WHEREAS, current enforcement of the two-hour time limit for vehicles without a valid permit in portions of Residential Preferential Parking (RPP) Zones closest to the stadium is time intensive, reducing the ability of Parking Enforcement to maximize limited staff capacity on game days; and

WHEREAS, the permanent double parking fine program established by Resolution No. 63,800-N.S. has not deterred extended game day parking in portions of RPP Zones B and D, particularly in comparison to private off-street facilities in the vicinity of the stadium offering game day parking for up to \$100; and

WHEREAS, staff have confirmed with Parking Enforcement leadership that new “Enhanced Fine Areas,” in which vehicles without a valid RPP permit would not be permitted to park on football game days, would maximize limited enforcement capacity on football game days; and

WHEREAS, concurrent with this Resolution, the Council is considering adoption of another Resolution establishing a new schedule of parking violations and fines for parking violations, including in new “Enhanced Fine Areas;” and

WHEREAS, the existing “double parking fine” program would continue to be in effect on football game days in addition to the new “Enhanced Fine Areas;” and

WHEREAS, the schedule of parking violations and fines for parking violations may be revised in the future without affecting established zones for football day citations and Enhanced Fine Areas and the City Manager’s authorization to determine and provide public noticing of dates for these violations.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the established zone for the northerly Enhanced Fine Area is north to (not including) Cedar Street, west to (not including) Shattuck Avenue, south to Hearst Avenue, and east to the existing boundary of RPP Zones F and G.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the established zone for the southerly Enhanced Fine Area is north to Dwight Way between Telegraph Avenue and Regent Street, north to Haste Street between Regent Street and Bowditch Street, north to Dwight Way between Bowditch Street and College Avenue; east to (but not including) College Avenue between Dwight Way and Parker Street; north to (but not including) Parker Street between College Avenue and Warring Street; east to Warring Street between Parker Street and Derby Street; north to Derby Street between Warring Street and Belrose Avenue; east to (but not including) Belrose Avenue/Claremont Boulevard between Derby Street and Russell Street; south to (but not including) Russell Street between Belrose Avenue/Claremont Boulevard and Telegraph Avenue; and west to (but not including) Telegraph Avenue between Russell Street and Dwight Way.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the established zone for the easterly Enhanced Fine Area is north to the southern boundary of RPP Zone K between Channing Way and the Berkeley-Oakland city limits; east to the Berkeley-Oakland city limits; south to (but not including) Dwight Way between the Berkeley-Oakland city limits and Prospect Street; and west to (but not including) Prospect Street between Dwight Way and Channing Way.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the established zone for football day citations is north to (not including) Cedar Street, south and east to the Berkeley-Oakland city limits, and west to Oxford and Fulton Streets (including both sides of these streets).

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 there are higher parking fines for football day citations, and provide reasonable notice to the public of these dates.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that Resolution No. 65,813-N.S. is hereby rescinded.

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

ESTABLISHING A NEW SCHEDULE OF PARKING VIOLATIONS AND FINES FOR PARKING VIOLATIONS AND LATE PAYMENT PENALTIES; AND RESCINDING RESOLUTION NO. 68,466-N.S.

WHEREAS, the State of California Vehicle Code Section 40203.5 states “the schedule of parking penalties for parking violations and late payment penalties shall be established by the governing body of the jurisdiction where the notice of violation is issued;” and

WHEREAS, University of California football games attract a large number of visitors who drive to the game and park in residential neighborhoods to the north and south of campus, which typically makes it difficult for residents to find parking in close proximity to their homes on football game days; and

WHEREAS, concurrent with this Resolution, the Council is considering adoption of another Resolution establishing new “Enhanced Fine Areas” in portions of Residential Preferential Parking (RPP) Zones F and G north of campus, and in portions of RPP Zones B, D, and I south of campus, wherein vehicles without a valid RPP permit would not be permitted to park on football game days; and

WHEREAS, in May 2018, the City Council adopted Resolution No. 68,466-N.S. establishing a new schedule of fines for parking violations to enable the City to properly cite vehicles in violation of new laws managing parking for electric vehicles.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that a new schedule of parking violations and late payment penalties is established, as set forth in Exhibit A, which includes fines and late penalties for violations of BMC Section 14.40.090 pertaining to parking restrictions in new “Enhanced Fine Areas” in effect on football game days only; and

BE IT FURTHER RESOLVED that Resolution No. 68,466-N.S. is hereby rescinded.

Exhibits

- A: Schedule of Fines and Late Payment Penalties for Parking Violations
- B: List of New Parking Violations

Exhibit A: Schedule of Fines and Late Payment Penalties for Parking Violations

Code	Section	Violation Description (For citations issued to a vehicle) FD = Football Game Days 9 a.m. to 11 p.m. FD fines = 50% higher on most violations & 100% higher for violations in RPP Zones A, B, D	Fine Amount	On Day 28 +\$30	On Day 47 +\$50
BMC	6.24.020	Off-St Rsrv Pkg No Permit Displayed	\$48	\$78	\$128
BMC	6.24.020	FD Off-St Rsrv Pkg No Permit Displayed			
BMC	6.24.020	Non-Electric Vehicle Parked in Electric Vehicle Space	\$35	\$65	\$115
BMC	6.24.060	Electric Vehicle Exceeding EV Parking Space Time Limit	\$30	\$60	\$110
BMC	6.24.020	Electric Vehicle Not Actively Charging in EV Parking Space	\$35	\$65	\$115
BMC	6.24.093	P&D Dispensing Mach Tkt Not Displayed	\$43	\$73	\$123
BMC	6.24.093	FD P&D Dispensing Mach Tkt Not Displayed	\$65	\$95	\$145
BMC	6.24.096	Improper Display of P&D Disp Mach Tkt	\$43	\$73	\$123
BMC	6.24.096	FD Improper Display of P&D Disp Mach Tkt	\$65	\$95	\$145
BMC	6.24.100 B	P&D Station Expired Time	\$43	\$73	\$123
BMC	6.24.100 B	FD P&D Station Expired Time	\$65	\$95	\$145
BMC	6.24.103 B	Time Limits Enforced at Inoperable P&D Sta	\$43	\$73	\$123
BMC	6.24.103 B	FD Time Limits Enforced at Inoperable P&D Sta	\$65	\$95	\$145
BMC	6.24.130	Off-St Facility: Motorcycle Zone Only	\$48	\$78	\$128
BMC	6.24.130	Off-St Facility: Pkg Outside Markings	\$48	\$78	\$128
BMC	6.24.130	FD Off-St Facility: Pkg Outside Markings	\$72	\$102	\$152
BMC	6.24.130	Off-St Facility: Disabled Zone	\$288	\$318	\$368
BMC	6.24.130	FD Off-St Facility: Disabled Zone	\$288	\$318	\$368
BMC	6.24.130	Off-St Facility: Restricted Load Zone	\$48	\$78	\$128
BMC	6.24.130	FD Off-St Facility: Restricted Load Zone	\$72	\$102	\$152
BMC	6.24.130	Off-St Facility: Unmarked Space	\$48	\$78	\$128
BMC	6.24.130	FD Off-St Facility: Unmarked Space	\$72	\$102	\$152
BMC	6.24.140	Off-St Facility: Backed-In	\$48	\$78	\$128
BMC	9.52.140	Unattended Taxi Over 5 Min	\$91	\$121	\$171
BMC	13.52.040	Unauth Pkg on Private Property	\$41	\$71	\$121
BMC	14.24.070	Unauth Vehicle on Private Prop	\$64	\$94	\$144
BMC	14.36.030 A	No Parking on Divisnl Islands	\$55	\$85	\$135
BMC	14.36.030 A	FD No Parking on Divisnl Islands	\$83	\$113	\$163
BMC	14.36.030 C	No Parking Zone (Sign Posted)	\$64	\$94	\$144
BMC	14.36.030 C	FD No Parking Zone (Sign Posted)	\$96	\$126	\$176
BMC	14.36.030 C	No Parking Zone (Red Curb)	\$64	\$94	\$144
BMC	14.36.030 C	FD No Parking Zone (Red Curb)	\$96	\$126	\$176

Code	Section	Violation Description (For citations issued to a vehicle) FD = Football Game Days 9 a.m. to 11 p.m. FD fines = 50% higher on most violations & 100% higher for violations in RPP Zones A, B, D	Fine Amount	On Day 28 +\$30	On Day 47 +\$50
BMC	14.36.030 D	No Parking Street Sweeping (sign)	\$49	\$79	\$129
BMC	14.36.030 E	No Parking on Railroad Tracks	\$64	\$94	\$144
BMC	14.36.030 F	Hazard Obstructing Traffic	\$64	\$94	\$144
BMC	14.36.030 F	FD Hazard Obstructing Traffic	\$96	\$126	\$176
BMC	14.36.030 G	Construct: No Permit on Dashboard	\$64	\$94	\$144
BMC	14.36.030 G	FD Construct: No Permit on Dashboard	\$96	\$126	\$176
BMC	14.36.050	On Street 72 or More Consec hrs	\$60	\$90	\$140
BMC	14.36.060	Repair Vehicle on Street	\$52	\$82	\$132
BMC	14.36.080	Vehicle Parked in School Zone	\$51	\$81	\$131
BMC	14.36.090	Pkg on Grade Brake/Block Wheels	\$55	\$85	\$135
BMC	14.36.110	Emerg Prkg w/o Permit (Tow CVC 22651)	\$52	\$82	\$132
BMC	14.40.010	3 min Limit Zone Overtime	\$43	\$73	\$123
BMC	14.40.010	FD 3 min Limit Zone Overtime	\$65	\$95	\$145
BMC	14.40.010	5 min Limit Zone Overtime	\$43	\$73	\$123
BMC	14.40.010	FD 5 min Limit Zone Overtime	\$65	\$95	\$145
BMC	14.40.010	10 min Limit Zone Overtime	\$43	\$73	\$123
BMC	14.40.010	FD 10 min Limit Zone Overtime	\$65	\$95	\$145
BMC	14.40.010	12 min Limit Zone Overtime	\$43	\$73	\$123
BMC	14.40.010	15 min Limit Zone Overtime	\$43	\$73	\$123
BMC	14.40.010	24 min Limit Zone Overtime	\$43	\$73	\$123
BMC	14.40.010	FD 24 min Limit Zone Overtime	\$65	\$95	\$145
BMC	14.40.020	30 min Limit Zone Overtime	\$43	\$73	\$123
BMC	14.40.020	FD 30 min Limit Zone Overtime	\$65	\$95	\$145
BMC	14.40.030	1 hr Limit Zone Overtime	\$43	\$73	\$123
BMC	14.40.030	FD 1 hr Limit Zone Overtime	\$65	\$95	\$145
BMC	14.40.030	Faulty Meter Over 1 hr Limit	\$43	\$73	\$123
BMC	14.40.040	2 hr Limit Zone Overtime	\$43	\$73	\$123
BMC	14.40.040	FD 2 hr Limit Zone Overtime	\$65	\$95	\$145
BMC	14.40.040	Faulty Meter Over 2 hr Limit	\$43	\$73	\$123
BMC	14.40.050 A	Parallel Pkg Veh Outside Markers	\$48	\$78	\$128
BMC	14.40.050 B	Veh Facing Wrong Way 1-way St	\$48	\$78	\$128
BMC	14.40.050 B	FD Veh Facing Wrong Way 1-way St	\$72	\$102	\$152
BMC	14.40.050 B	Pkg Over 18" from Curb 1-way St	\$51	\$81	\$131
BMC	14.40.050 B	FD Pkg Over 18" fr Curb 1-way St	\$77	\$107	\$157
BMC	14.40.060 A	Diagonal Pkg Veh Outside Markers	\$51	\$81	\$131
BMC	14.40.060 B	Diagonal Pkg FW Over 6" from Curb	\$51	\$81	\$131
BMC	14.40.070 A	No Stopping 4-6pm (Tow CVC 22651)	\$64	\$94	\$144
BMC	14.40.070 A	FD No Stopping 4-6pm (Tow CVC 22651)	\$96	\$126	\$176
BMC	14.40.070 A	No Stopping 7-9am (Tow CVC 22651)	\$64	\$94	\$144

Code	Section	Violation Description (For citations issued to a vehicle) FD = Football Game Days 9 a.m. to 11 p.m. FD fines = 50% higher on most violations & 100% higher for violations in RPP Zones A, B, D	Fine Amount	On Day 28 +\$30	On Day 47 +\$50
BMC	14.40.070 A	No Stopping 9pm-6am (Tow CVC 22651)	\$64	\$94	\$144
BMC	14.40.070 A	Posted No Stopping Tow Away	\$64	\$94	\$144
BMC	14.40.090	RPP Zone No RPP Permit Displayed	\$49	\$79	\$129
BMC	14.40.090	FD RPP Zone A,B,D No Permit Dsply	\$98	\$128	\$178
BMC	14.40.090	RPP Zone K No Permit Displayed	\$57	\$87	\$137
BMC	14.40.090	RPP Zone RPP Permit Expired	\$49	\$79	\$129
BMC	14.40.090	FD RPP Zone A,B,D Permit Expired	\$98	\$128	\$178
BMC	14.40.090	RPP Zone Permit Improper Display	\$49	\$79	\$129
BMC	14.40.090	FD RPP A,B,D Permit Impropr Dsply	\$98	\$128	\$178
BMC	14.40.090	No RPP Permit Displayed in Enhanced Fine Area (Football Game Days)	\$225	\$255	\$305
BMC	14.40.130	Pkg/Standing in City Lots/Spaces	\$55	\$85	\$135
BMC	14.40.130 A	City Lot No Permit Displayed	\$57	\$87	\$137
BMC	14.40.130 C	Reserved Pkg No Permit Displayed	\$49	\$79	\$129
BMC	14.40.130 E	Reserved City Hall Pkg Towable	\$64	\$94	\$144
BMC	14.40.150 A	Car Parking in Motorcycle Area	\$51	\$81	\$131
BMC	14.40.150 B	Motorcycle Zone Overtime	\$51	\$81	\$131
BMC	14.40.160	DbI-Pkd Commer Vehicle Center St	\$60	\$90	\$140
BMC	14.44.020 B	Commer Zone No Permit (yellow)	\$57	\$87	\$137
BMC	14.44.020 B	FD Commer Zone No Permit (yellow)	\$86	\$116	\$166
BMC	14.44.020 A	Commercial Zone Overtime	\$57	\$87	\$137
BMC	14.44.020 A	FD Commercial Zone Overtime	\$86	\$116	\$166
BMC	14.44.030	Passenger Load Zone (white curb)	\$57	\$87	\$137
BMC	14.44.030	FD Passgr Load Zone (white curb}	\$86	\$116	\$166
BMC	14.44.040	No Stopping Bicycle Zone	\$55	\$85	\$135
BMC	14.44.040	FD No Stopping Bicycle Zone	\$83	\$113	\$163
BMC	14.44.050	Special Passenger Load Zone only	\$57	\$87	\$137
BMC	14.44.060	Parking in Coach (bus) Zone	\$64	\$94	\$144
BMC	14.44.060	FD Parking in Coach (bus) Zone	\$96	\$126	\$176
BMC	14.44.070	Unauthorized Use of Funeral Zone	\$51	\$81	\$131
BMC	14.44.080	Taxicab Parking Only	\$51	\$81	\$131
BMC	14.44.080	Unauthorized Taxicab Stand Pkg	\$51	\$81	\$131
BMC	14.46.040 B	Non-Electric Vehicle Parked in EV Space	\$49	\$79	\$129
BMC	14.46.050 B	Electric Vehicle Exceeding EV Space Time Limit	\$43	\$73	\$123
BMC	14.46.050 C	Electric Vehicle Not Actively Charging in EV Space	\$43	\$73	\$123
BMC	14.52.050 A	Meter Street: Expired Meter	\$43	\$73	\$123
BMC	14.52.050 A	FD Meter Street: Expired Meter	\$65	\$95	\$145
BMC	14.52.050 B	Pay & Display Station Expired Time	\$43	\$73	\$123

Code	Section	Violation Description (For citations issued to a vehicle) FD = Football Game Days 9 a.m. to 11 p.m. FD fines = 50% higher on most violations & 100% higher for violations in RPP Zones A, B, D	Fine Amount	On Day 28 +\$30	On Day 47 +\$50
BMC	14.52.050 B	FD Pay & Display Sta Expired Time	\$65	\$95	\$145
BMC	14.52.060 A	Meter St: Extending Meter Time	\$43	\$73	\$123
BMC	14.52.060 A	FD Meter St: Extending Meter Time	\$65	\$95	\$145
BMC	14.52.060 B	Pay & Display Station Extend Time	\$43	\$73	\$123
BMC	14.52.060 B	FD Pay & Display Sta Extend Time	\$65	\$95	\$145
BMC	14.52.063	P&D Dispensing Mach Tkt Not Displayed	\$43	\$73	\$123
BMC	14.52.063	FD P&D Dispens Mach Tkt Not Displayed	\$65	\$95	\$145
BMC	14.52.066	Improper Display of P&D Disp Mach Tkt	\$43	\$73	\$123
BMC	14.52.066	FD Improper Display of P&D Disp Mach Tkt	\$65	\$95	\$145
CVC	4000	No Evidence Current Registration	\$50	\$80	\$130
CVC	4000	Expired Registration	\$50	\$80	\$130
CVC	4461 B	Improper Lending of DP Placard or Plate	\$550	\$580	\$630
CVC	4461 C	Improper Display of DP Placard or Plate	\$550	\$580	\$630
CVC	4461 D	Improper Use of DP Placard or Plate	\$550	\$580	\$630
CVC	4463 C	Use of Forged, Counterfeit, or False DP Placard or Plate	\$550	\$580	\$630
CVC	5200	Missing License Plates	\$25	\$55	\$105
CVC	5201	Lic Plates Improperly Positioned	\$25	\$55	\$105
CVC	5202	Hanging/Detached License Plate	\$25	\$55	\$105
CVC	5204 A	Expired Tags (read back)	\$25	\$55	\$105
CVC	5204 A	Missing Tags	\$25	\$55	\$105
CVC	21113 A	Parking on Public Grounds	\$54	\$84	\$134
CVC	21211 B	Vehicle Blocking Bicycle Lane	\$54	\$84	\$134
CVC	21718	Parking on Freeway	\$54	\$84	\$134
CVC	22500 A	Parking in an Intersection	\$60	\$90	\$140
CVC	22500 A	FD Parking in an Intersection	\$86	\$116	\$166
CVC	22500 B	Parking in Crosswalk	\$60	\$90	\$140
CVC	22500 B	FD Parking in Crosswalk	\$90	\$120	\$170
CVC	22500 C	Parking in Safety Zone	\$60	\$90	\$140
CVC	22500 C	FD Parking in Safety Zone	\$90	\$120	\$170
CVC	22500 D	Parking within 15' of Fire Station	\$60	\$90	\$140
CVC	22500 D	FD Parking within 15' of Fire Station	\$90	\$120	\$170
CVC	22500 E	Parking in Driveway	\$60	\$90	\$140
CVC	22500 E	FD Parking in Driveway	\$90	\$120	\$170
CVC	22500 F	Parking On/Across Sidewalk	\$60	\$90	\$140
CVC	22500 F	FD Parking On/Across Sidewalk	\$90	\$120	\$170
CVC	22500 G	Parking Construction No Permit	\$60	\$90	\$140
CVC	22500 G	FD Parking Construction No Permit	\$90	\$120	\$170
CVC	22500 H	Double-Parked	\$60	\$90	\$140

Code	Section	Violation Description (For citations issued to a vehicle) FD = Football Game Days 9 a.m. to 11 p.m. FD fines = 50% higher on most violations & 100% higher for violations in RPP Zones A, B, D	Fine Amount	On Day 28 +\$30	On Day 47 +\$50
CVC	22500 H	FD Double-Parked	\$90	\$120	\$170
CVC	22500 I	Parking/Stopping in Coach Zone	\$263	\$293	\$343
CVC	22500 I	FD Parking/Stopping in Coach Zone	\$263	\$293	\$343
CVC	22500 J	Parking in Tunnel	\$54	\$84	\$134
CVC	22500 K	Parking on Bridge	\$54	\$84	\$134
CVC	22500 L	Blocking Disabled Ramp	\$288	\$318	\$368
CVC	22502 A	Parking Over 18" from Curb 2-Way St	\$69	\$99	\$149
CVC	22502 A	FD Parking Over 18" from Curb 2-Way St	\$104	\$134	\$184
CVC	22503 E	Parking Over 10" from Curb 1-Way St	\$58	\$88	\$138
CVC	22507.8 A	Parking in Disabled Zone	\$317	\$347	\$397
CVC	22507.8 B	Obstructing Access Disabled Zone	\$317	\$347	\$397
CVC	22507.8 B	FD Obstructing Access Disabled Zone	\$317	\$347	\$397
CVC	22514 a	Parking within 15' of Fire Hydrant	\$78	\$108	\$158
CVC	22514 a	FD Parking within 15' of Fire Hydrant	\$117	\$147	\$197
CVC	22521	Parking within 7.5' of Railroad Tracks	\$54	\$84	\$134
CVC	22522	Parking within 3' of Wheelchair Ramp	\$317	\$347	\$397
CVC	22522	FD Parking within 3' of Wheelchair Ramp	\$317	\$347	\$397
CVC	22523 a	Abandon Vehicle on Highway	\$168	\$198	\$248
CVC	22523 b	Abandon Vehicle on Pub/Prvt Prop	\$168	\$198	\$248

Note: In addition to citation placed on vehicle, "Notice of Violation" is mailed to registered owner seven (7) days after citation and indicated when the fine penalty increases will occur: On Day 28 after citation issuance, the fine increases by \$30. If payment is not received within 45 days after issuance, on Day 47, the fine increases by an additional \$50.

Exhibit B: List New Parking Violations

Code	Section	Violation Description (For citations issued to a vehicle) FD = Football Game Days 9 a.m. to 11 p.m. FD fines = 50% higher on most violations & 100% higher for violations in RPP Zones A, B, D	Fine Amount	On Day 28 +\$30	On Day 47 +\$50
BMC	14.40.090	No RPP Permit Displayed in Enhanced Fine Area (Football Game Days)	\$225	\$255	\$305

**NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL**

FEES: RESIDENTIAL PREFERENTIAL PARKING PERMITS

Notice is hereby given by the City Council of the City of Berkeley that a public hearing will be conducted by said city council of the City of Berkeley at which time and place all persons may attend and be heard upon the following:

The Department of Public Works is proposing to increase the cost of annual Residential Preferential Parking (RPP) permits, effective June 1, 2019, for permits purchased for FY 2020, as summarized below:

Permit Type	Current Fee	Proposed Fee
Annual Residential & In-Home Care	\$66.00	\$90.00
1-Day Visitor	\$3.00	\$4.00
14-Day Visitor	\$34.00	\$47.00
Semi-Annual Residential & In-Home Care	\$33.00	\$45.00
Community-Serving Facility	\$83.00	\$114.00
Merchant	\$185.00	\$253.00
1-Day Senior Center	\$1.00	\$1.00
Replacement of Annual, 14-Day, Community-Serving Facility, & Merchant Permits	\$15.00	\$21.00
Surcharge Per Additional Annual Residential Permit Over Maximum, If Waiver Approved	\$100.00	\$100.00

The hearing will be held on Tuesday, May 14, 2019 at 6:00 p.m. in the School District Board Room, 1231 Addison Street.

For further information, please contact Farid Javandel, Transportation Division Manager, at (510) 981-7061.

A copy of the agenda material for this hearing will be available on the City’s website at www.CityofBerkeley.info as of May 2, 2019.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City’s electronic records, which are accessible through the City’s website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become**

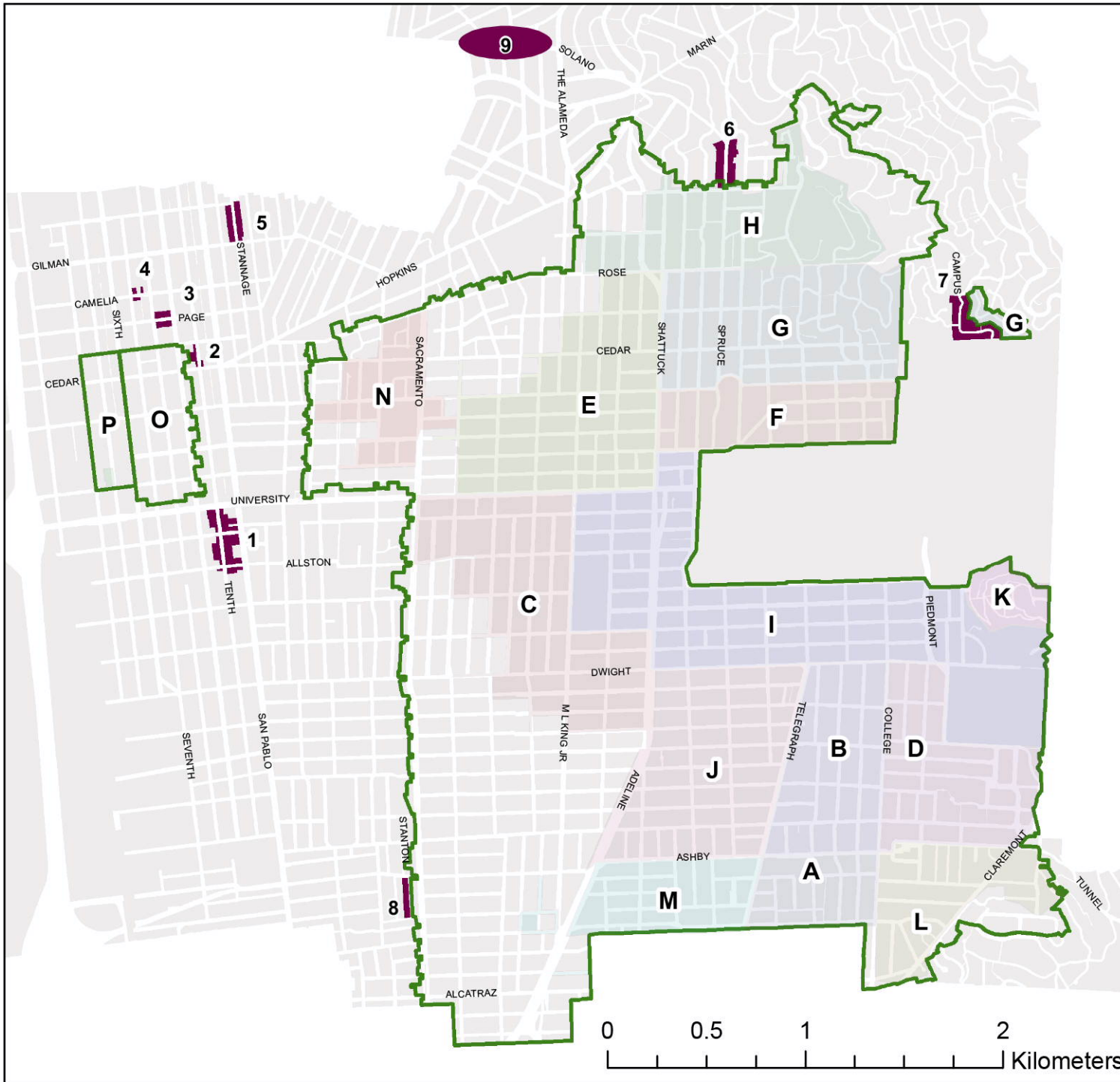
part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at 981-6900 or clerk@cityofberkeley.info for further information.

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available at the City Clerk Department and posted on the City of Berkeley webpage at least 12 days prior to the public hearing.

Published: May 3 and May 10, 2019 – The Berkeley Voice

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on May 2, 2019.

\_\_\_\_\_  
Mark Numainville, City Clerk



# ATTACHMENT 6

## EXISTING ELIGIBILITY AND INELIGIBLE OPT-IN REQUESTS

- Existing RPP Area Extents
- Current Eligibility Boundary
- Out of Area Opt-In Requests

### FY 2019 Requests

1. 10th between University and Allston with adjacent side streets
2. 10th between Jones and Cedar
3. Page between 8th and 9th
4. Camelia between 7th and 8th

### Requests Prior to FY 2019

5. Stannage between Gilman and Harrison
6. Spruce between Los Angeles to Eunice
7. Campus between Avenida and LBL Campus
8. Stanton between Ashby and Prince
9. Multiple requests from Solano neighborhood

This map is for reference purposes only.

Care was taken in the creation of this map, but it is provided "AS IS". Please contact the City of Berkeley to verify map information or to report any errors.  
March 20, 2019

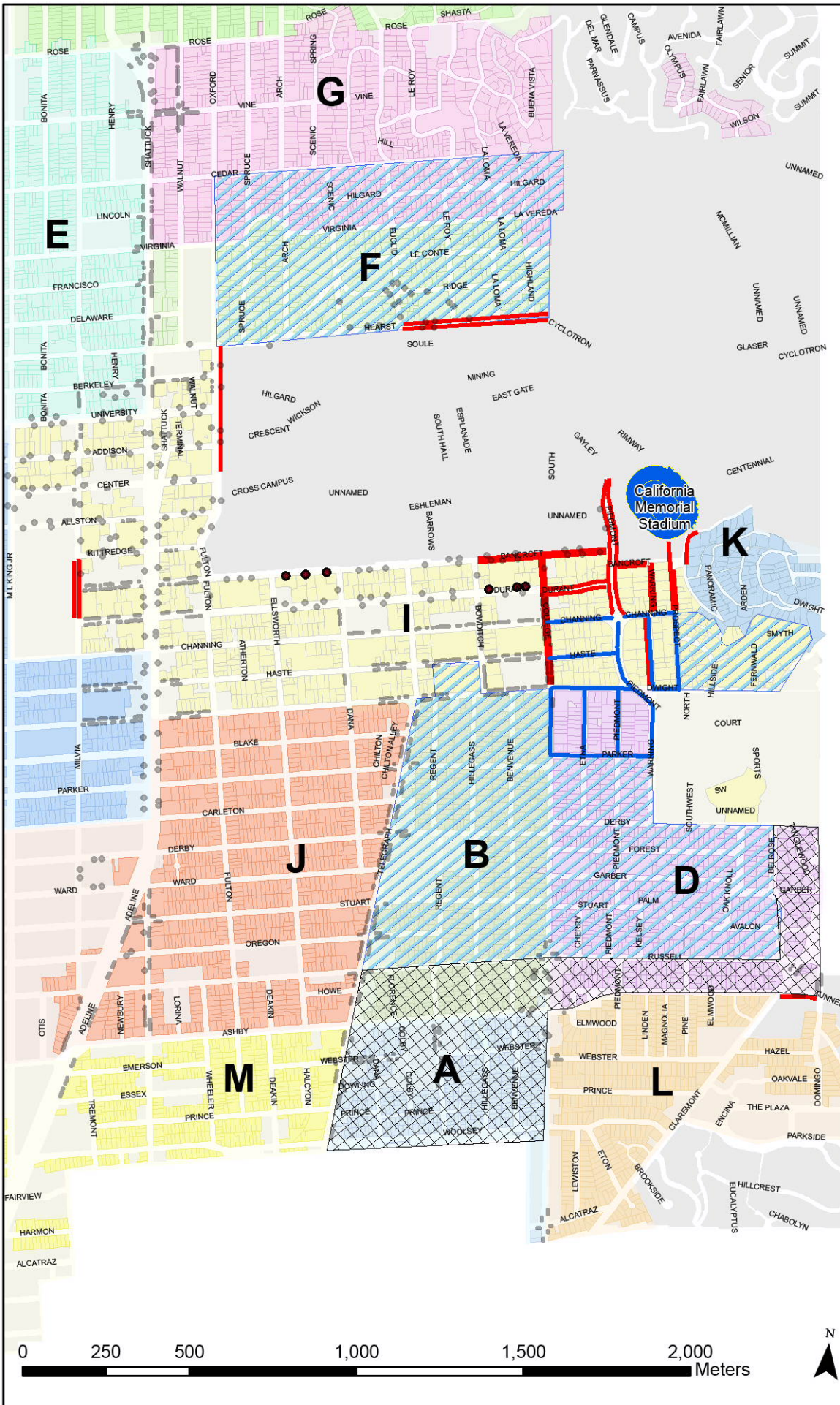


**CITY OF BERKELEY**  
Transportation Division  
1947 Center Street  
Berkeley CA 94704





# ATTACHMENT 7: PROPOSED 2019 UC BERKELEY FOOTBALL GAME DAY PARKING RESTRICTIONS



### Existing Restrictions

- Single Space Meters (9AM-6PM)
- Pay And Display Meters (9AM-6PM)
- Meters With Additional No Parking Restrictions
- ▨ Double Fine Area (200%)
- Existing Football Tow Zones

### Proposed Restrictions

- ▨ Enhanced Fine Area for Non-Permit Holders (\$225)
- Proposed New Tow Zone For Non-Permit Holders

This map is for reference purposes only.

Care was taken in the creation of this map, but it is provided "AS IS". Please contact the City of Berkeley to verify map information or to report any errors.  
March 20, 2019





Office of the City Manager

PUBLIC HEARING

May 14, 2019

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Phillip Harrington, Director, Public Works  
Subject: Residential Preferential Parking Program Reform and Expansion Phase II: Recommendations for Increased Staffing, Enhanced Football Game Day Enforcement, and Expansion

RECOMMENDATION

Conduct a public hearing and upon conclusion:

1. Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 14.72 to allow Residential Preferential Parking (RPP) in areas zoned Mixed Use-Light Industrial;
2. Adopt a Resolution to expand and enhance the RPP Program, raising permit fees for cost neutrality while increasing parking enforcement staff and equipment to augment RPP enforcement, improving UC Berkeley home football game parking enforcement, allowing more residents to opt-in, and rescinding Resolution 68,344-N.S.;
3. Adopt a Resolution modifying parking restrictions in specified RPP Zones on UC Berkeley home football game days as follows: establish "Enhanced Fine Areas" to prohibit parking without a valid RPP permit in portions of RPP Zones B, D, F, G, and I; and install new RPP signs in zones B, D, F, G, and I to clearly indicate UC Berkeley home football game day parking prohibitions; and
4. Adopt a Resolution establishing a new Parking Fine Schedule, including parking fines of \$225 per violation of BMC 14.40.090 in new Enhanced Fine Areas on posted UC football game days, and rescinding Resolution No. 68,466-N.S.

SUMMARY

The recommended actions constitute a package of "mid-term" changes to the RPP Program, developed in response to previous Council direction. These changes include: 1) hiring (7) seven more parking enforcement personnel to augment enforcement in existing and new RPP Zones, particularly on UC Berkeley home football game days; 2) instituting new parking restrictions and increased fines on football game days; 3) allowing blocks currently ineligible for RPP to opt-in to the Program; and 4) increasing permit fees to make the Program cost-neutral.

**FISCAL IMPACTS OF RECOMMENDATION**

The recommendation would provide staffing to increase enforcement of RPP Program parking restrictions, including during UC Berkeley football games, and allow many currently ineligible residents to opt-in to the Program. The capital and operational cost and revenue elements associated with these changes are summarized below. These are new obligations, in addition to existing costs to operate the program.

**Football Game Day Enforcement Cost**

Implementing the recommendation for the 2019 football season will incur a one-time capital cost of \$80,000, including:

- Approximately 500 new Residential Preferential Parking (RPP) signs specifying new parking restrictions, at a unit cost of \$100 per sign, and 250 person hours to install the new signs for a one-time labor cost of \$25,000; and
- Approximately 500 decals to identify football game dates (replaced annually) at cost of \$5,000. Initial decal installation included with sign installation cost. Annual decal replacement requires 100 person hours at a cost of \$10,000.

Staff calculates the ongoing cost to be \$15,000 annually. Initial and annual costs are summarized in the table below:

|              |           | <b>Initial Cost</b>            | <b>Ongoing Annual Cost</b> |
|--------------|-----------|--------------------------------|----------------------------|
| Signs        | Materials | \$50,000                       | N/A                        |
|              | Labor     | \$25,000                       | N/A                        |
| Decals       | Materials | \$5,000                        | \$5,000                    |
|              | Labor     | Included in sign installation. | \$10,000                   |
| <b>Total</b> |           | <b>\$80,000</b>                | <b>\$15,000</b>            |

Currently, the UC Berkeley Athletics Department reimburses the City for signs produced and installed to manage football game day traffic. The current signs are over 20 years old; in 2017, UC paid approximately \$18,600 for sign and decal maintenance costs. Staff recommend that City leadership coordinate with UC Berkeley to fund the recommended one-time signage/decal upgrades, plus ongoing annual costs.<sup>1</sup>

**RPP Program Enforcement Enhancement and Expansion Cost**

The fiscal impact of all of these recommendations will be realized in the General Fund (011). All permit fees and citation revenues, including revenue from new enforcement staff, will be deposited in the General Fund. In turn, all new staff and equipment costs will come out of the General Fund. Costs include:

- Six (6) Parking Enforcement Officers (\$124,818 per FTE; total \$748,908/year), and one (1) Parking Enforcement Supervisor at \$138,065/year;

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<sup>1</sup> If UC Berkeley is unable to pay this cost, then the funding would come from the General Fund.



- Six (6) parking enforcement vehicles (\$210,000 total), each equipped with standard automated license plate recognition (ALPR) systems at \$78,363 each (\$470,178), annualized over a five-year period;<sup>2</sup> and
- New RPP sign installation, including labor and materials, at \$23,000 per year.<sup>3</sup>

#### Estimated New Revenue

During the 2018 season, football-related RPP citations resulted in \$49,100 in revenue, and staff anticipates the new “Enhanced Fine Areas” to generate an additional \$31,650. More significantly, hiring six (6) more PEOs is expected to increase citation revenue in both new and existing RPP areas. Staff estimate that each new PEO would issue up to \$75,000/year in RPP citations, for a total of \$450,000/year.

#### Incremental Fiscal Impact in FY 2020

Hiring of new PEOs and procurement of associated enforcement equipment would take place over the course of FY 2020, resulting in incremental increases in new citation revenue as new staff are selected, trained, and deployed. Similarly, each opt-in petition for new areas will take time to verify and bring to Council for approval, resulting in delayed revenues from permits purchased in expansion areas. Therefore, the full fiscal impact of the Program’s expansion and enhancement will not be seen in FY 2020. Staff will continue to monitor the Program’s costs and revenues as new enforcement staff are hired.

#### User Fee Increases for Cost Neutrality

Per Council Budget Policies,<sup>4</sup> the RPP Program should pay for itself. As of March 2019, the RPP Program still runs a deficit of approximately \$124,675. The deficit has shrunk by \$71,125 since FY 2017, when the deficit was approximately \$195,800. This deficit reduction, but not elimination, may be due in part to a decline in permit revenues following the 20% fee increase on April 1, 2018. Customers may also have reevaluated their needs in light of the new maximum of three (3) annual permits per address.

The proposed fee structure would go into effect June 1, 2019, to support increasing enforcement in FY 2020. It is estimated to generate approximately \$368,280 of additional revenue, including \$21,600 from annual permit sales in potential new opt-in areas, for the General Fund (Fund 011). The following table reflects increases for each type of permit in the RPP fee structure to result in a cost-neutral Program.

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<sup>2</sup> Proposed permit fees incorporate half of PEO salary costs, and half of the one-time vehicle and equipment costs, as RPP enforcement accounts for approximately half of all parking enforcement duties. Remaining costs are expected to be covered by new revenues resulting from new staff enforcing other duties, such as street sweeping, parking meter payments, and school zones.

<sup>3</sup> Up to twenty blocks in new areas would be allowed to join the Program per year. Staff assumes six RPP signs per block (three signs on each side of the block), and approximately \$1,150 per block.

<sup>4</sup> “Council Budget Policies”: <http://bit.ly/2z4UiFY>

| Permit Type                                                                   | Current Fee | Proposed Fee | \$ Increase | % Increase |
|-------------------------------------------------------------------------------|-------------|--------------|-------------|------------|
| Annual Residential & In-Home Care                                             | \$66.00     | \$90.00      | \$24.00     | 36.4%      |
| 1-Day Visitor                                                                 | \$3.00      | \$4.00       | \$1.00      | 33.3%      |
| 14-Day Visitor                                                                | \$34.00     | \$47.00      | \$13.00     | 38.2%      |
| Semi-Annual Residential & In-Home Care                                        | \$33.00     | \$45.00      | \$12.00     | 36.4%      |
| Community-Serving Facility                                                    | \$83.00     | \$114.00     | \$31.00     | 37.3%      |
| Merchant                                                                      | \$185.00    | \$253.00     | \$68.00     | 36.8%      |
| 1-Day Senior Center                                                           | \$1.00      | \$1.00       | N/A         | N/A        |
| Replacement of Annual, 14-Day, Community-Serving Facility, & Merchant Permits | \$15.00     | \$21.00      | \$6.00      | 40.0%      |

The proposed fee structure is estimated to generate approximately \$1,305,240 in revenue for the General Fund in FY 2021, once all new staff have been hired and anticipated expansion has occurred. This increase of \$368,280 in revenue would close the projected deficit, resulting in a cost-neutral Program (the \$600 difference is within the margin of approximation). With the proposed fee increase, the total Program revenue is projected to be \$3.41 million including revenue resulting from an increase in RPP-related citations due to higher staffing levels and new football fines.

| RPP Program Financial Components      | April 2018-March 2018 Actuals | FY 2021 Projections |
|---------------------------------------|-------------------------------|---------------------|
| Total RPP Permit Fee Revenue          | \$936,960                     | \$1,305,240         |
| RPP-Related Citation Revenue          | \$1,573,840                   | \$2,023,840         |
| Football RPP-Related Citation Revenue | \$49,100                      | \$80,750            |
| <b>Total Revenue</b>                  | <b>\$2,559,910</b>            | <b>\$3,409,830</b>  |
| <b>Total RPP Program Costs</b>        | <b>\$2,684,580</b>            | <b>\$3,409,230</b>  |
| <b>RPP Program Deficit/Surplus</b>    | <b>(\$124,670)</b>            | <b>\$600</b>        |

CURRENT SITUATION AND ITS EFFECTS

This report represents “mid-term” changes to the RPP Program as part of ongoing RPP Program Reform & Expansion. Building on the initial “short-term” changes enacted by Council in February 2018, described in the accompanying Information Report on this Agenda, this report recommends “mid-term” changes that respond to remaining resident requests and Council referrals.

UC Berkeley Football Game Day Parking Demand

The UC Berkeley football season typically spans twelve (12) games between September and November. Up to seven (7) games per year are played at California



Memorial Stadium (“stadium”), near the eastern end of Bancroft Avenue. Most home games occur on Saturday afternoons or evenings. Neighborhoods surrounding UC Berkeley currently have RPP. South of campus, RPP Zones A, B, D, and K are enforced Monday to Saturday, with the exception of Zones I (Telegraph) and L (Claremont), which are not enforced on Saturday. North of campus, RPP Zones F and G are enforced Monday through Friday.

Game attendees who drive and park in surrounding neighborhoods can make it difficult for some residents to find parking near their homes during games. In fall 2017, the City analyzed game day parking south of campus.<sup>5</sup> The analysis found that parking occupancy in the study area increased by about 25% on a game day compared to a non-game day, with increases of approximately 35-50% closest to campus (RPP Zones B, D, and I). Anecdotal evidence from residents also suggests poor parking by visitors may impede access to residential driveways at times.

Existing Game Day Parking Restrictions

Special parking restrictions and enforcement on football game days currently includes:

- Increased fines for certain parking violations<sup>6</sup> within the boundaries of Cedar Street (north), Berkeley-Oakland city limits (south and east), and Oxford and Fulton Streets (west), with double fines in RPP Zones A, B, and D; and
- Tow-away zones for all vehicles on certain streets close to campus,<sup>7</sup> and additional no-parking areas at metered parking spaces in the Southside and Northside areas.

The Berkeley Police Department (BPD) requires substantial staff time and resources for football game day duties. BPD typically assigns sworn officers on overtime to patrol areas near the stadium to discourage bad behavior.<sup>8</sup> Any staffing gap is filled by parking enforcement personnel. Between five and seven PEOs may be reassigned to game day duty, with one PEO specifically assigned to regulate access to the Panoramic Hill neighborhood (RPP Zone K). That leaves between two and four PEOs to enforce meter payments, curb markings, or RPP time limits elsewhere in the City. As shown in the table below, the City does not have enough PEOs to provide regular Saturday enforcement in addition to football duties on game days.

| Enforcement Duties | Number of Assigned PEOs |
|--------------------|-------------------------|
|--------------------|-------------------------|

<sup>5</sup> Specifically, Zones A, B, D, I, and L. While not explicitly studied, staff assume neighborhoods north of campus experience similar game day parking demand patterns.

<sup>6</sup> Football game day defined as 9:30 a.m. to 11 p.m., regardless of game start time. Most football game day citation rates are 150% of non-game day citation rates. For example, a citation for a vehicle parked in a No Parking Zone (red curb) that is normally \$64 costs \$96 on a game day.

<sup>7</sup> For example: Piedmont Avenue between the stadium and Channing Way, Bancroft Way between Warring Street and Bowditch Street, and College Avenue between Bancroft Way and Dwight Way.

<sup>8</sup> UC Berkeley reimburses the City for BPD overtime costs.



|                                             | <b>Non-Game Days</b> | <b>Football Game Days</b> |
|---------------------------------------------|----------------------|---------------------------|
| Game Day Activities                         | 0                    | 5-7                       |
| Parking Meters, Curbs, Time Limits, and RPP | 7-9                  | 2-4                       |

Requests for Further Program Expansion

In the past year, staff received four (4) opt-in requests from residents outside of the current RPP eligibility area, all of them in northwest Berkeley.<sup>9</sup> In the previous five years, staff have received another five (5) requests from residents outside of the program boundaries.<sup>10</sup> A map depicting these requests is provided as Attachment 5.

Recommendation: Increase and Enhance RPP Enforcement, Including on Football Game Days, and Expand RPP Eligibility

1. Enhanced Enforcement in Existing RPP Areas

Due to staffing constraints discussed in the accompanying Information Report on this Agenda, enforcement in existing RPP areas occurs only once per day. Staff recommend hiring sufficient parking enforcement staff to resume morning and afternoon patrols of existing RPP areas. This will help reinforce RPP time limits, particularly on streets near popular destinations such as public facilities or commercial districts. Increased patrols may also reduce the amount of one-off requests from residents who do not observe enforcement as frequently, which reduce PEOs’ ability to conduct regularly-scheduled beat patrols.

To further increase parking enforcement capacity, staff also recommend that PEOs should no longer accompany street sweeping vehicles. Instead, beat officers would enforce restrictions during the three-hour restriction window, before the sweeper cleans the street, to allow time for other responsibilities.<sup>11</sup> Additionally, staff strongly recommend against introducing additional permit types for resident services, e.g., ‘nanny permits’, or ‘gardener permits’, which serve as exemptions from RPP restrictions. In addition to further increasing already high parking demand in some areas, adding new permits for non-residents dilutes the Program’s effectiveness for all existing permit holders and encourages more driving, which is contrary to the City’s

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<sup>9</sup> Requests received in FY 2019 include: 10th Street between Cedar and Jones Streets; 10th Street from University Avenue to Allston Way, Addison Street from 10th Street to San Pablo Avenue, and Allston Way from 10th Street to San Pablo Avenue; Camelia Street from 7th to 8th Street; and Page Street from 8th to 9th Street.

<sup>10</sup> Requests received prior to FY 2019 include: Campus Drive from Avenida Drive to the Berkeley Lab Campus; Spruce Street from Los Angeles Avenue to Eunice Street; Stannage Avenue between Gilman Street and Harrison Street; Stanton Street from Ashby Avenue to Prince Street; and various areas adjacent to Solano Avenue.

<sup>11</sup> In the future, street sweeping vehicles may be equipped with GPS beacons, which would allow residents to check when streets reopen for parking in real-time.

Climate Action Plan goals of reducing vehicular emissions.

2. Enhanced Game Day Parking Management and Enforcement

In response to Council referrals, staff has prepared a proposal for the 2019 football season to improve parking availability for residents in neighborhoods closest to campus. Illustrated in Attachment 6, this proposal builds on existing game day restrictions by adding tougher penalties for non-residents closer to the stadium:

- **New tow-away areas for vehicles without a valid RPP permit** on streets within one quarter-mile of the stadium (including portions of RPP Zones D and I), where demand was heaviest on the game day analyzed in fall 2017.
- **New “Enhanced Fine Areas”** on streets within one half-mile of the stadium (including portions of RPP Zones F and G north of campus and portions of Zones B and D south of campus), where vehicles without a valid RPP permit will be subject to a one-time fine of \$225.<sup>12</sup>

This proposal maximizes game day staff capacity and effectiveness in areas where residents experience the most inconvenience. While current enforcement requires two passes to determine whether a non-permitted vehicle exceeds the time limit, under this proposal a PEO will need to check only once to verify whether a vehicle has a permit.

Signage is critical to effective enforcement of parking restrictions. In addition to clearly defining expectations for visitors, signage justifies the issuance of citations that violate posted restrictions. Details about the costs and content of new signage required to implement this proposal is provided in the Fiscal Impacts section of this report.

3. Additional Strategies to Increase Parking Availability on Game Days

While some street parking spaces near the stadium are restricted on game days, metered parking is available for visitors in Downtown, Southside/Telegraph, and the Northside area.<sup>13</sup> Staff will return to Council later this year with options for special events, including adjusting special event rate setting ability at City parking garages, and piloting demand-responsive special event pricing at goBerkeley parking meters.

4. Further Expansion of RPP Program Eligibility

Although there have been relatively few opt-in requests from outside the current Program boundary, they still represent a customer need that the City cannot meet with existing staffing levels. To maximize enforcement resources, currently ineligible residents would be able to opt-in under the following conditions:

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<sup>12</sup> Staff are sensitive to low income residents and visitors who may not be able to afford this fine. Options include a payment plan (AB 503), as well as applying to perform Community Service in lieu of paying for parking citations.

<sup>13</sup> Meters operate 9 a.m. to 6 p.m. Monday to Saturday. On the Northside, Hearst Avenue between Euclid Avenue and La Loma Avenue is a tow-away zone on game days.



- A. Meet all existing requirements, including petitioner obtaining agreement of 51+% of all housing units in an area, and staff verifying limited parking availability in the mid-morning and mid-afternoon;
- B. Parcels must be located within two (2) blocks of a major commercial corridor (e.g., San Pablo Avenue or Gilman Street); or be adjacent to existing RPP boundaries; and
- C. In residentially-zoned areas, at least one full block (i.e., two sides of a street) must be included in the petition.

Petitioners in areas zoned Mixed Use-Residential or Mixed-Use Light Industrial will be subject to restrictions approved by Council in 2018 for Mixed Use Area P, including a reduced maximum of two (2) annual permits available per address. While slightly more restrictive than current requirements, this expansion approach would allow all petitioners who have submitted opt-in requests to date to be eligible for RPP.

**5. Staffing Requirements**

Enhanced enforcement, including new football game day restrictions, requires five (5) new PEOs and one (1) Parking Enforcement Supervisor, plus standard equipment. Expansion requires one (1) additional PEO for every twenty full blocks (i.e., both sides of a street) added to the Program, plus standard equipment.

**BACKGROUND**

The RPP Program began in 1980 (1) to protect Berkeley residential neighborhoods from an influx of non-resident vehicles and related traffic; (2) to assure continued quality of life for residents; and (3) to provide neighborhood parking for residents. The Program limits parking for vehicles not displaying an RPP permit in most RPP areas to two hours, and reserves available daytime parking for residents, between 9:00 a.m. and 7:00 p.m. Monday through Friday, and on some blocks Saturday.

In March 2014,<sup>14</sup> Council directed staff to evaluate expanding the RPP Program beyond its then-current geographic boundaries. At a September 2017 Council Worksession, staff discussed several challenges with the RPP Program, and proposed incremental solutions to be implemented over the next three years.<sup>15</sup> In February 2018, staff returned to Council with a first set of “short-term” policy reforms, including increased permit fees for Program cost neutrality, a limit of three (3) annual permits per address, and an expansion of RPP eligibility to two new zones in West Berkeley.<sup>16</sup> Improving the effectiveness of the RPP Program is a Strategic Plan Priority Project, advancing the City’s goals to:

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<sup>14</sup> March 11, 2014 *City Council Agenda: Expansion of Permit Parking to Impacted Areas*: <http://bit.ly/2vTgnqD>

<sup>15</sup> September 19, 2017 *City Council Agenda: Residential Preferential Parking (RPP) Program Recommendations*: <https://bit.ly/2iWaPDa>

<sup>16</sup> February 27, 2018 *City Council Agenda: Residential Preferential Parking (RPP) Program Reform and Expansion*: <https://bit.ly/2Yq6tYB>.



- Provide an efficient and financially-healthy City government; and
- Be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

### Football Game Day Enforcement

On April 5, 2016, Councilmembers Capitelli, Droste, and Wengraf sponsored a Referral to the Transportation Commission to review game day parking fines in RPP areas around campus, and to recommend higher fees to deter visitors from parking in those areas.<sup>17</sup> On July 25, 2017, the Transportation Commission submitted a Council Report recommending an increase of game day parking fines to \$300 for vehicles without a valid RPP permit in Zones A, B, and D south of campus, but Council did not adopt the Commission's recommendation.<sup>18</sup> On September 25, 2018, Councilmembers Droste, Wengraf, and Mayor Arreguin submitted a referral to the City Manager to implement game day parking restrictions similar to the Transportation Commission's 2017 proposal, but taking into account additional concerns such as parking on the north side of campus.<sup>19</sup>

### ENVIRONMENTAL SUSTAINABILITY

Increasing parking fines for vehicles without valid RPP permits on football game days should increase parking availability for residents in neighborhoods near campus, reducing traffic congestion and vehicle emissions as drivers spend less time searching for parking. Increased fines may also encourage the use of alternative forms of transportation to UC football games.

Expansion of the RPP Program may encourage some drivers who work in commercial areas adjacent to proposed RPP areas to consider using other modes of travel, potentially reducing parking demand and congestion. While use of these other transportation modes may result in a corresponding reduction in traffic and greenhouse gases, staff anticipate the "two-hour shuffle" (i.e., moving a vehicle every two hours to avoid a ticket) may also begin to occur in new RPP areas among commuters who continue to drive. This behavior would have an adverse impact on traffic congestion, air quality, and excess fuel consumption.

### RATIONALE FOR RECOMMENDATION

At the September 19, 2017 Worksession, Council expressed support for a roadmap for RPP reform and expansion, including short-, mid-, and long-term changes to the

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<sup>17</sup> April 5, 2016 *City Council Agenda: Refer to Transportation Commission to Reassess UC Berkeley Game Day Parking Fines in RPP Areas A, B, D, F and G Surrounding Campus* <https://bit.ly/2GRoSzi>

<sup>18</sup> July 25, 2017 *City Council Agenda: Referral Response: Reassess UC Berkeley Game Day Parking Fines in RPP Areas A, B, D, F, and G Surrounding Campus* <https://bit.ly/2fwXaEj>

<sup>19</sup> September 25, 2018 *City Council Agenda: Refer to the City Manager UC Berkeley Game Day Parking Restrictions and Fines in RPP Surrounding Campus* <https://bit.ly/2EwSnfS>

Program. Short-term recommendations were approved by Council in February 2018. The proposals contained in this report comprise staff's "mid-term" recommendations.

In their September 25, 2018 referral, Councilmembers Droste, Wengraf, and Mayor Arreguin supported increasing parking fines to increase parking availability for residents affected by football game demand. Previously, the Transportation Commission has also supported higher fines.

ALTERNATIVE ACTIONS CONSIDERED

The following table summarizes four alternatives considered by staff:



| Alternative                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Estimated Annual Permit Fee |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| <u>Option 1: Staff Recommendation, Enhanced RPP and Football Enforcement, and Expansion, Without Changing Saturday Enforcement.</u>                                                                                                                                                                                                                                                                                                                                                      | \$90/year<br>(+36% / +\$24) |
| <u>Option 2: Saturday Enforcement in All Areas, Enhanced RPP and Football Enforcement, and Expansion</u> <ul style="list-style-type: none"> <li>• Implement Saturday patrols of all RPP Zones,<sup>20</sup> plus increased RPP and football enforcement, and expansion as in Option 1</li> <li>• Increase permit fees to eliminate deficit and add seven (7) PEOs and one (1) supervisor for increased RPP enforcement, one (1) PEO per twenty new blocks/year, and equipment</li> </ul> | \$97/year<br>(+47% / +\$31) |
| <u>Option 3: Expansion and Enhanced Football Enforcement</u> <ul style="list-style-type: none"> <li>• Implement enhanced football enforcement and expansion as in Option 1</li> <li>• No change to existing RPP enforcement levels/frequency</li> <li>• Increase permit fees to eliminate deficit and add three (3) PEOs and one (1) supervisor for football, one (1) PEO per twenty new blocks/year, and equipment</li> </ul>                                                           | \$88/year<br>(+34% / +\$22) |
| <u>Option 4: Expansion Only</u> <ul style="list-style-type: none"> <li>• Expand RPP Program eligibility per guidelines in Option 1</li> <li>• No changes to existing RPP and football enforcement levels</li> <li>• Increase permit fees to eliminate deficit and add one (1) new PEO and equipment per twenty new blocks/year</li> </ul>                                                                                                                                                | \$82/year<br>(+24% / +\$16) |

Council could also reject all options, which would maintain the status quo RPP Program, including its structural deficit.

**CONTACT PERSON**

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 Danette Perry, Parking Services Manager, Public Works (510) 981-7057  
 Gordon Hansen, Senior Planner, Public Works (510) 981-7064

**Attachments:**

- 1: Ordinance
- 2: Resolution: Fees: Residential Preferential Parking Permits
- 3: Resolution: Establish “Enhanced Fine Area” and Double Fine Locations
- 4: Resolution: Modify Parking Violation Fine Schedule
  - Exhibit A: Schedule of Fines and Late Payment Penalties for Parking Violations
  - Exhibit B: List of New Parking Violations

<sup>20</sup> Adding enforcement at streets with RPP restrictions in Zones C, E, F, G, H, I, J, L, M, O, and P.

Residential Preferential Parking Program Reform & Expansion  
Phase II: Recommendations for Increased Enforcement Staffing, Enhanced  
Football Game Day Enforcement Operations, and Expansion

PUBLIC HEARING  
May 14, 2019

- 5: Public Hearing Notice
- 6: FY 2019 and Prior Out of Area RPP Opt-In Requests
- 7: Proposed 2019 UC Berkeley Football Game Day Parking Restrictions



ORDINANCE NO. #,###-N.S.

AMENDING BERKELEY MUNICIPAL CODE CHAPTER 14.72 TO ALLOW FURTHER EXPANSION OF THE RESIDENTIAL PREFERENTIAL PARKING (RPP) PROGRAM

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 14.72.030 is amended to read as follows:

**14.72.030 Definitions.**

A. "Designated residential parking permit area" means any contiguous area upon which the Council imposes parking limitations pursuant to the authority granted by this chapter.

B. "Block front" means all of the property on one side of a street between two consecutive intersecting streets.

BC. "Mixed use" means the use of a lot or building with two or more different land uses including, but not limited to, residential, commercial, retail, office or manufacturing, in a single structure or a group of physically integrated structures; in a neighborhood context, it means blocks containing single-use residences interspersed with other land uses, such as commercial or industrial.

DG. "Mixed Use-Residential" and "Mixed Use-Light Industrial" refers to the zoning designations so defined in Berkeley Municipal Code Chapters 23E.84 and 23E.80, respectively.-

ED. "Assessor's Use Code" means the code used by the Alameda County Assessor to assess property for property tax purposes. These codes cover a range of building descriptions and uses, including a variety of residential uses.

FE. "Nonresidential vehicle" means a motor vehicle not eligible to be issued a residential parking permit, pursuant to the terms and conditions of this chapter, for the specific area in which it is parked. However, it could be eligible for a local business parking permit, or any other parking permit the council shall designate.

GF. "Residential parking permit" means a permit issued under this chapter which, when displayed upon a vehicle, as described herein, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.

HG. "Local business parking permit" means a permit issued under this chapter which, when displayed upon a motor vehicle, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.

IH. "Trapped resident" means: 1) any resident whose dwelling is on a block that may not legally opt-in because less than 80% of the block fronts are residentially zoned and

either: a) whose address is on a block front adjacent to and/or surrounded by block fronts that are already included in the RPP program; or b) whose address is within the general boundary of a designated RPP area; or 2) any resident whose dwelling abuts controlled curb parking and either: a) whose address is on a block front adjacent to and/or surrounded by RPP areas; or b) whose address is within the general boundary of a designated RPP area.

**JJ.** "Neighborhood-service community facility" means churches, schools and senior centers located wholly within the general boundary of an RPP designated area.

**KJ.** "Neighborhood-serving business and establishment" means any business or establishment located in a neighborhood commercial district as defined in the Zoning Ordinance Section Cl a, Cl b, Cl c, Cl b(E).

**LK.** "One-day visitor permit" means a parking permit issued pursuant to this chapter or an ordinance enacted pursuant to authority granted herein, which shall exempt the vehicle from parking time restrictions pursuant to this chapter, for the date indicated upon the face of said permit.

**LM.** "Two-week visitor permit" shall mean a parking permit issued pursuant to this chapter or an ordinance enacted pursuant to authority granted herein, which shall exempt the vehicle from parking time restrictions established pursuant to this chapter for a period of 14 consecutive calendar days, beginning upon the date indicated upon the face of said permit.

**NM.** "Motor vehicle" shall be an automobile, truck, motorcycle or other self-propelled form of transportation not in excess of 8,000 pounds gross weight and not in excess of 20 feet in length. A trailer, trailer coach, utility trailer, motor home/(RV), or any other type of vehicle as defined in the California Vehicle Code that is not self-propelled, is not eligible for an RPP permit.

**ON.** "Controlled curb parking" means any on-street parking with existing parking limitations, such as meters, time restrictions, red zone, etc.

**PO.** "Schools" shall mean any school or other place of learning providing a pre-school, elementary or secondary level of study, and which regularly employs a staff of at least 15 certificated persons regularly employed as a classroom teacher.

**QP.** "Senior centers" means the three senior centers affiliated with the City: North Berkeley Senior Center, South Berkeley Senior Center and the West Berkeley Senior Center.

Section 2. That Berkeley Municipal Code Section 14.72.050 is amended to read as follows:

**14.72.050 Designation of a residential permit parking area.**



A. There shall be two alternative processes by which City Council could consider any area for designation as a residential permit parking area:

1. Residents petition. The City Council shall consider for designation as a residential permit parking area any proposed area for which a petition has been submitted which meets and satisfies the following requirements:

a. Prior to obtaining signatures, neighborhood organizers shall consult with City staff to assure that the proposed area meets guidelines set in the administrative regulations for the establishment of permit parking boundaries.

b. The petition shall contain a description or a map showing the proposed residential permit parking area.

c. Said description or map shall be followed in the petition by a statement describing the residential permit parking program and the current residential permit fees.

d. The statement shall be followed by a signature, printed name, address, and date of signing of the application by a number of adult residents including at least 51% of the housing units within the area.

e. For applicants in areas zoned ~~Mixed Use-Residential~~ or Mixed Use-Light Industrial, a petition shall only be deemed valid if at least 51% of the housing units on each block ~~face-front~~ have an address that has a residential Assessor's Use Code.

f. All petitions shall be the same as the standard petition form developed by City staff. Any petition form different from the standard petition form shall be deemed invalid for the purposes of this chapter.

g. In the proposed residential permit parking area, at least 80% of the block fronts with unlimited on-street parking must be residentially zoned, and at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.

h. In areas zoned ~~Mixed Use-Residential~~ or Mixed Use-Light Industrial, at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.

2. City Council initiation. City Council shall consider for designation as a residential permit parking area any area for which the following requirements have been met:

a. City Council shall initiate the area as a residential permit parking area.

b. For areas zoned ~~Mixed Use-Residential~~ or Mixed Use-Light Industrial, Council shall only initiate the area as a residential permit parking area if at least 51% of the housing

units on each block face-front have an address that has a residential Assessor's Use Code.

c. In the proposed residential permit parking area at least 80% of the block fronts with unlimited on-street parking must be residentially zoned, and at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m. or unlimited on-street parking is projected to be impacted by parking spillover from a more congested residential permit parking area.

d. In areas zoned Mixed Use-Residential or Mixed Use-Light Industrial, at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.

e. A notice of intent to establish permit parking shall be sent to all addresses within the proposed residential parking permit area.

B. Upon receipt by the City Council of a petition as described in subsection A.1 of this section, or after Council has initiated a residential permit parking area as described in subsection A.2 of this section, the Council shall:

1. Undertake or cause to be undertaken such surveys or studies which it deems necessary.

2. Cause to be drafted a resolution which would establish a residential permit parking area based upon the aforementioned proposal and studies, including all regulations and time restrictions determined by the Council to be reasonable and necessary in such area.

C. The Council shall thereafter conduct a public hearing on said draft resolution. Notice of the hearing shall be posted at least ten days prior to the hearing on all block fronts proposed to be included in the residential permit parking area. Following the hearing, the City Council may enact, amend or reject said draft resolution in any manner, including but not limited to, modification of boundaries of the proposed area and the restrictions imposed on such proposed area. In order to grant permit parking designation, Council shall find that the designation will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing in the area of designation. In reaching this decision, consideration shall be given to the residents' support for residential permit parking, the existing parking conditions, the expected effectiveness of residential permit parking in improving parking conditions, and the location and size of the residential permit parking area.

Section 3. That Berkeley Municipal Code Section 14.72.090 is amended to read as follows:

**14.72.090 Residential parking permit.**



A. The City Manager and/or his/her designee shall issue residential parking permits with a term not to exceed one year to motor vehicles which comply with the requirements set forth in this section.

1. No more than three (3) permits may be purchased for each residential address. Applicants may request a waiver if additional permits are needed.

2. In areas zoned Mixed Use-Residential (MU-R) or Mixed Use-Light Industrial (MULI), no more than two (2) permits may be purchased for each residential address. Applicants may request a waiver if additional permits are needed.

3. The City Traffic Engineer is authorized to issue such rules and regulations necessary to grant waivers to the annual permit limits.

B. A residential parking permit may be issued for a motor vehicle only upon application of the following person:

1. The applicant must demonstrate that he or she is currently a resident of the area for which the permit is to be issued; and

2. The applicant must demonstrate that he or she has ownership or continuing custody of the motor vehicle for which the permit is to be issued; and

3. Any motor vehicle to be issued a permit must have a vehicle registration indicating registration within the area for which the permit is to be issued.

C. A residential parking permit may in addition be issued for any vehicle in the area regularly utilized by a person who owns or leases commercial property and actively engages in business activity within the particular residential permit parking area. However, no more than one parking permit, or any greater number which the City Council may determine appropriate for the particular residential permit parking involved area, may be issued for each business establishment for a motor vehicle registered to or under the control of such a person.

D. A residential parking permit may be issued for any vehicle utilized in the area by a nonresidential nonbusiness enterprise, such as a church, school, or hospital, located wholly or partially within the particular residential permit parking area. However, no more than one parking permit, or any greater number which the City Council may determine appropriate for the particular permit parking area involved, may be issued for each such enterprise within each permit area for a motor vehicle registered to or under the control of such an enterprise.

E. Any person to whom a residential parking permit has been issued pursuant to this section shall be deemed a permit holder.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.



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

FEES: RESIDENTIAL PREFERENTIAL PARKING PERMITS

WHEREAS, on February 27, 2018, Council adopted Resolution No. 68,344-N.S., establishing a revised fee schedule for parking permits for annual residential preferential parking; 1-Day Visitors, 2-Week Visitors, and annual in-home care, annual community-serving facility, annual merchant, 1-Day Senior Center, Semi-annual residential, and Semi-annual in-home care permits issued for the Residential Preferential Parking (RPP) Program, and rescinded Resolution No. 66,895-N.S.; and

WHEREAS, the current RPP Program is operating at an annual deficit of at least \$124,675; and

WHEREAS, staffing for the RPP Program will be increased to allow for enhanced enforcement activities in existing Program areas, a comprehensive overhaul of University of California, Berkeley football game day parking, and actively managed expansion of opt-in eligibility; and

WHEREAS, increased staffing will incur additional yearly costs, but will also deliver new citation revenue;

WHEREAS, it is necessary to increase RPP permit fees in order to operate the RPP Program as a cost-neutral program in accordance with Council Budget Policies.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following fees for the RPP Program are hereby established:

| Permit Type                                                                                 | Permit Fees |
|---------------------------------------------------------------------------------------------|-------------|
| Annual Residential & In-Home Care                                                           | \$90.00     |
| 1-Day Visitor                                                                               | \$4.00      |
| 14-Day Visitor                                                                              | \$47.00     |
| Semi-Annual Residential & In-Home Care                                                      | \$45.00     |
| Community-Serving Facility                                                                  | \$114.00    |
| Merchant                                                                                    | \$253.00    |
| 1-Day Senior Center                                                                         | \$1.00      |
| Replacement of Annual, 14-Day, Community-Serving Facility, & Merchant Permits               | \$21.00     |
| Surcharge Per Additional Annual Residential Permit Over Maximum, Only If Waiver is Approved | \$100.00    |

BE IT FURTHER RESOLVED that these fees shall be effective June 1, 2019 for FY 2020 permit purchases and shall be deposited into the General Fund.

BE IT FURTHER RESOLVED that Resolution No. 68,344-N.S. is hereby rescinded effective June 1, 2019.

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

ESTABLISHING THE ZONES FOR “ENHANCED FINE AREAS” AND FOOTBALL GAME DAY VIOLATIONS, AND AUTHORIZING THE CITY MANAGER TO MAKE AN ANNUAL DETERMINATION AND NOTICE OF DATES ON WHICH FOOTBALL DAY VIOLATIONS WILL BE ISSUED

WHEREAS, City Council Resolution No. 65,813-N.S. restated the geographic area for football game day citations; and

WHEREAS, University of California football games attract a large number of visitors who drive to the game and park in residential neighborhoods to the north and south of campus, which typically makes it difficult for residents to find parking in close proximity to their homes on football game days; and

WHEREAS, current enforcement of the two-hour time limit for vehicles without a valid permit in portions of Residential Preferential Parking (RPP) Zones closest to the stadium is time intensive, reducing the ability of Parking Enforcement to maximize limited staff capacity on game days; and

WHEREAS, the permanent double parking fine program established by Resolution No. 63,800-N.S. has not deterred extended game day parking in portions of RPP Zones B and D, particularly in comparison to private off-street facilities in the vicinity of the stadium offering game day parking for up to \$100; and

WHEREAS, staff have confirmed with Parking Enforcement leadership that new “Enhanced Fine Areas,” in which vehicles without a valid RPP permit would not be permitted to park on football game days, would maximize limited enforcement capacity on football game days; and

WHEREAS, concurrent with this Resolution, the Council is considering adoption of another Resolution establishing a new schedule of parking violations and fines for parking violations, including in new “Enhanced Fine Areas;” and

WHEREAS, the existing “double parking fine” program would continue to be in effect on football game days in addition to the new “Enhanced Fine Areas;” and

WHEREAS, the schedule of parking violations and fines for parking violations may be revised in the future without affecting established zones for football day citations and Enhanced Fine Areas and the City Manager’s authorization to determine and provide public noticing of dates for these violations.



NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the established zone for the northerly Enhanced Fine Area is north to (not including) Cedar Street, west to (not including) Shattuck Avenue, south to Hearst Avenue, and east to the existing boundary of RPP Zones F and G.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the established zone for the southerly Enhanced Fine Area is north to Dwight Way between Telegraph Avenue and Regent Street, north to Haste Street between Regent Street and Bowditch Street, north to Dwight Way between Bowditch Street and College Avenue; east to (but not including) College Avenue between Dwight Way and Parker Street; north to (but not including) Parker Street between College Avenue and Warring Street; east to Warring Street between Parker Street and Derby Street; north to Derby Street between Warring Street and Belrose Avenue; east to (but not including) Belrose Avenue/Claremont Boulevard between Derby Street and Russell Street; south to (but not including) Russell Street between Belrose Avenue/Claremont Boulevard and Telegraph Avenue; and west to (but not including) Telegraph Avenue between Russell Street and Dwight Way.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the established zone for the easterly Enhanced Fine Area is north to the southern boundary of RPP Zone K between Channing Way and the Berkeley-Oakland city limits; east to the Berkeley-Oakland city limits; south to (but not including) Dwight Way between the Berkeley-Oakland city limits and Prospect Street; and west to (but not including) Prospect Street between Dwight Way and Channing Way.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the established zone for football day citations is north to (not including) Cedar Street, south and east to the Berkeley-Oakland city limits, and west to Oxford and Fulton Streets (including both sides of these streets).

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 there are higher parking fines for football day citations, and provide reasonable notice to the public of these dates.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that Resolution No. 65,813-N.S. is hereby rescinded.

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

ESTABLISHING A NEW SCHEDULE OF PARKING VIOLATIONS AND FINES FOR PARKING VIOLATIONS AND LATE PAYMENT PENALTIES; AND RESCINDING RESOLUTION NO. 68,466-N.S.

WHEREAS, the State of California Vehicle Code Section 40203.5 states “the schedule of parking penalties for parking violations and late payment penalties shall be established by the governing body of the jurisdiction where the notice of violation is issued;” and

WHEREAS, University of California football games attract a large number of visitors who drive to the game and park in residential neighborhoods to the north and south of campus, which typically makes it difficult for residents to find parking in close proximity to their homes on football game days; and

WHEREAS, concurrent with this Resolution, the Council is considering adoption of another Resolution establishing new “Enhanced Fine Areas” in portions of Residential Preferential Parking (RPP) Zones F and G north of campus, and in portions of RPP Zones B, D, and I south of campus, wherein vehicles without a valid RPP permit would not be permitted to park on football game days; and

WHEREAS, in May 2018, the City Council adopted Resolution No. 68,466-N.S. establishing a new schedule of fines for parking violations to enable the City to properly cite vehicles in violation of new laws managing parking for electric vehicles.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that a new schedule of parking violations and late payment penalties is established, as set forth in Exhibit A, which includes fines and late penalties for violations of BMC Section 14.40.090 pertaining to parking restrictions in new “Enhanced Fine Areas” in effect on football game days only; and

BE IT FURTHER RESOLVED that Resolution No. 68,466-N.S. is hereby rescinded.

Exhibits

- A: Schedule of Fines and Late Payment Penalties for Parking Violations
- B: List of New Parking Violations



Exhibit A: Schedule of Fines and Late Payment Penalties for Parking Violations

| Code | Section     | Violation Description<br>(For citations issued to a vehicle)<br>FD = Football Game Days 9 a.m. to 11 p.m.<br>FD fines = 50% higher on most violations &<br>100% higher for violations in RPP Zones A,<br>B, D | Fine<br>Amount | On Day 28<br>+\$30 | On Day 47<br>+\$50 |
|------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|--------------------|--------------------|
| BMC  | 6.24.020    | Off-St Rsrv Pkg No Permit Displayed                                                                                                                                                                           | \$48           | \$78               | \$128              |
| BMC  | 6.24.020    | FD Off-St Rsrv Pkg No Permit Displayed                                                                                                                                                                        |                |                    |                    |
| BMC  | 6.24.020    | Non-Electric Vehicle Parked in Electric Vehicle Space                                                                                                                                                         | \$35           | \$65               | \$115              |
| BMC  | 6.24.060    | Electric Vehicle Exceeding EV Parking Space Time Limit                                                                                                                                                        | \$30           | \$60               | \$110              |
| BMC  | 6.24.020    | Electric Vehicle Not Actively Charging in EV Parking Space                                                                                                                                                    | \$35           | \$65               | \$115              |
| BMC  | 6.24.093    | P&D Dispensing Mach Tkt Not Displayed                                                                                                                                                                         | \$43           | \$73               | \$123              |
| BMC  | 6.24.093    | FD P&D Dispensing Mach Tkt Not Displayed                                                                                                                                                                      | \$65           | \$95               | \$145              |
| BMC  | 6.24.096    | Improper Display of P&D Disp Mach Tkt                                                                                                                                                                         | \$43           | \$73               | \$123              |
| BMC  | 6.24.096    | FD Improper Display of P&D Disp Mach Tkt                                                                                                                                                                      | \$65           | \$95               | \$145              |
| BMC  | 6.24.100 B  | P&D Station Expired Time                                                                                                                                                                                      | \$43           | \$73               | \$123              |
| BMC  | 6.24.100 B  | FD P&D Station Expired Time                                                                                                                                                                                   | \$65           | \$95               | \$145              |
| BMC  | 6.24.103 B  | Time Limits Enforced at Inoperable P&D Sta                                                                                                                                                                    | \$43           | \$73               | \$123              |
| BMC  | 6.24.103 B  | FD Time Limits Enforced at Inoperable P&D Sta                                                                                                                                                                 | \$65           | \$95               | \$145              |
| BMC  | 6.24.130    | Off-St Facility: Motorcycle Zone Only                                                                                                                                                                         | \$48           | \$78               | \$128              |
| BMC  | 6.24.130    | Off-St Facility: Pkg Outside Markings                                                                                                                                                                         | \$48           | \$78               | \$128              |
| BMC  | 6.24.130    | FD Off-St Facility: Pkg Outside Markings                                                                                                                                                                      | \$72           | \$102              | \$152              |
| BMC  | 6.24.130    | Off-St Facility: Disabled Zone                                                                                                                                                                                | \$288          | \$318              | \$368              |
| BMC  | 6.24.130    | FD Off-St Facility: Disabled Zone                                                                                                                                                                             | \$288          | \$318              | \$368              |
| BMC  | 6.24.130    | Off-St Facility: Restricted Load Zone                                                                                                                                                                         | \$48           | \$78               | \$128              |
| BMC  | 6.24.130    | FD Off-St Facility: Restricted Load Zone                                                                                                                                                                      | \$72           | \$102              | \$152              |
| BMC  | 6.24.130    | Off-St Facility: Unmarked Space                                                                                                                                                                               | \$48           | \$78               | \$128              |
| BMC  | 6.24.130    | FD Off-St Facility: Unmarked Space                                                                                                                                                                            | \$72           | \$102              | \$152              |
| BMC  | 6.24.140    | Off-St Facility: Backed-In                                                                                                                                                                                    | \$48           | \$78               | \$128              |
| BMC  | 9.52.140    | Unattended Taxi Over 5 Min                                                                                                                                                                                    | \$91           | \$121              | \$171              |
| BMC  | 13.52.040   | Unauth Pkg on Private Property                                                                                                                                                                                | \$41           | \$71               | \$121              |
| BMC  | 14.24.070   | Unauth Vehicle on Private Prop                                                                                                                                                                                | \$64           | \$94               | \$144              |
| BMC  | 14.36.030 A | No Parking on Divisnl Islands                                                                                                                                                                                 | \$55           | \$85               | \$135              |
| BMC  | 14.36.030 A | FD No Parking on Divisnl Islands                                                                                                                                                                              | \$83           | \$113              | \$163              |
| BMC  | 14.36.030 C | No Parking Zone (Sign Posted)                                                                                                                                                                                 | \$64           | \$94               | \$144              |
| BMC  | 14.36.030 C | FD No Parking Zone (Sign Posted)                                                                                                                                                                              | \$96           | \$126              | \$176              |
| BMC  | 14.36.030 C | No Parking Zone (Red Curb)                                                                                                                                                                                    | \$64           | \$94               | \$144              |
| BMC  | 14.36.030 C | FD No Parking Zone (Red Curb)                                                                                                                                                                                 | \$96           | \$126              | \$176              |

| Code | Section     | Violation Description<br>(For citations issued to a vehicle)<br>FD = Football Game Days 9 a.m. to 11 p.m.<br>FD fines = 50% higher on most violations &<br>100% higher for violations in RPP Zones A,<br>B, D | Fine<br>Amount | On Day 28<br>+\$30 | On Day 47<br>+\$50 |
|------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|--------------------|--------------------|
| BMC  | 14.36.030 D | No Parking Street Sweeping (sign)                                                                                                                                                                             | \$49           | \$79               | \$129              |
| BMC  | 14.36.030 E | No Parking on Railroad Tracks                                                                                                                                                                                 | \$64           | \$94               | \$144              |
| BMC  | 14.36.030 F | Hazard Obstructing Traffic                                                                                                                                                                                    | \$64           | \$94               | \$144              |
| BMC  | 14.36.030 F | FD Hazard Obstructing Traffic                                                                                                                                                                                 | \$96           | \$126              | \$176              |
| BMC  | 14.36.030 G | Construct: No Permit on Dashboard                                                                                                                                                                             | \$64           | \$94               | \$144              |
| BMC  | 14.36.030 G | FD Construct: No Permit on Dashboard                                                                                                                                                                          | \$96           | \$126              | \$176              |
| BMC  | 14.36.050   | On Street 72 or More Consec hrs                                                                                                                                                                               | \$60           | \$90               | \$140              |
| BMC  | 14.36.060   | Repair Vehicle on Street                                                                                                                                                                                      | \$52           | \$82               | \$132              |
| BMC  | 14.36.080   | Vehicle Parked in School Zone                                                                                                                                                                                 | \$51           | \$81               | \$131              |
| BMC  | 14.36.090   | Pkg on Grade Brake/Block Wheels                                                                                                                                                                               | \$55           | \$85               | \$135              |
| BMC  | 14.36.110   | Emerg Prkg w/o Permit (Tow CVC<br>22651)                                                                                                                                                                      | \$52           | \$82               | \$132              |
| BMC  | 14.40.010   | 3 min Limit Zone Overtime                                                                                                                                                                                     | \$43           | \$73               | \$123              |
| BMC  | 14.40.010   | FD 3 min Limit Zone Overtime                                                                                                                                                                                  | \$65           | \$95               | \$145              |
| BMC  | 14.40.010   | 5 min Limit Zone Overtime                                                                                                                                                                                     | \$43           | \$73               | \$123              |
| BMC  | 14.40.010   | FD 5 min Limit Zone Overtime                                                                                                                                                                                  | \$65           | \$95               | \$145              |
| BMC  | 14.40.010   | 10 min Limit Zone Overtime                                                                                                                                                                                    | \$43           | \$73               | \$123              |
| BMC  | 14.40.010   | FD 10 min Limit Zone Overtime                                                                                                                                                                                 | \$65           | \$95               | \$145              |
| BMC  | 14.40.010   | 12 min Limit Zone Overtime                                                                                                                                                                                    | \$43           | \$73               | \$123              |
| BMC  | 14.40.010   | 15 min Limit Zone Overtime                                                                                                                                                                                    | \$43           | \$73               | \$123              |
| BMC  | 14.40.010   | 24 min Limit Zone Overtime                                                                                                                                                                                    | \$43           | \$73               | \$123              |
| BMC  | 14.40.010   | FD 24 min Limit Zone Overtime                                                                                                                                                                                 | \$65           | \$95               | \$145              |
| BMC  | 14.40.020   | 30 min Limit Zone Overtime                                                                                                                                                                                    | \$43           | \$73               | \$123              |
| BMC  | 14.40.020   | FD 30 min Limit Zone Overtime                                                                                                                                                                                 | \$65           | \$95               | \$145              |
| BMC  | 14.40.030   | 1 hr Limit Zone Overtime                                                                                                                                                                                      | \$43           | \$73               | \$123              |
| BMC  | 14.40.030   | FD 1 hr Limit Zone Overtime                                                                                                                                                                                   | \$65           | \$95               | \$145              |
| BMC  | 14.40.030   | Faulty Meter Over 1 hr Limit                                                                                                                                                                                  | \$43           | \$73               | \$123              |
| BMC  | 14.40.040   | 2 hr Limit Zone Overtime                                                                                                                                                                                      | \$43           | \$73               | \$123              |
| BMC  | 14.40.040   | FD 2 hr Limit Zone Overtime                                                                                                                                                                                   | \$65           | \$95               | \$145              |
| BMC  | 14.40.040   | Faulty Meter Over 2 hr Limit                                                                                                                                                                                  | \$43           | \$73               | \$123              |
| BMC  | 14.40.050 A | Parallel Pkg Veh Outside Markers                                                                                                                                                                              | \$48           | \$78               | \$128              |
| BMC  | 14.40.050 B | Veh Facing Wrong Way 1-way St                                                                                                                                                                                 | \$48           | \$78               | \$128              |
| BMC  | 14.40.050 B | FD Veh Facing Wrong Way 1-way St                                                                                                                                                                              | \$72           | \$102              | \$152              |
| BMC  | 14.40.050 B | Pkg Over 18" from Curb 1-way St                                                                                                                                                                               | \$51           | \$81               | \$131              |
| BMC  | 14.40.050 B | FD Pkg Over 18" fr Curb 1-way St                                                                                                                                                                              | \$77           | \$107              | \$157              |
| BMC  | 14.40.060 A | Diagonal Pkg Veh Outside Markers                                                                                                                                                                              | \$51           | \$81               | \$131              |
| BMC  | 14.40.060 B | Diagonal Pkg FW Over 6" from Curb                                                                                                                                                                             | \$51           | \$81               | \$131              |
| BMC  | 14.40.070 A | No Stopping 4-6pm (Tow CVC 22651)                                                                                                                                                                             | \$64           | \$94               | \$144              |
| BMC  | 14.40.070 A | FD No Stopping 4-6pm (Tow CVC<br>22651)                                                                                                                                                                       | \$96           | \$126              | \$176              |
| BMC  | 14.40.070 A | No Stopping 7-9am (Tow CVC 22651)                                                                                                                                                                             | \$64           | \$94               | \$144              |



| <b>Code</b> | <b>Section</b> | <b>Violation Description</b><br>(For citations issued to a vehicle)<br>FD = Football Game Days 9 a.m. to 11 p.m.<br>FD fines = 50% higher on most violations &<br>100% higher for violations in RPP Zones A,<br>B, D | <b>Fine Amount</b> | <b>On Day 28<br/>+\$30</b> | <b>On Day 47<br/>+\$50</b> |
|-------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------|----------------------------|
| BMC         | 14.40.070 A    | No Stopping 9pm-6am (Tow CVC 22651)                                                                                                                                                                                  | \$64               | \$94                       | \$144                      |
| BMC         | 14.40.070 A    | Posted No Stopping Tow Away                                                                                                                                                                                          | \$64               | \$94                       | \$144                      |
| BMC         | 14.40.090      | RPP Zone No RPP Permit Displayed                                                                                                                                                                                     | \$49               | \$79                       | \$129                      |
| BMC         | 14.40.090      | FD RPP Zone A,B,D No Permit Dsply                                                                                                                                                                                    | \$98               | \$128                      | \$178                      |
| BMC         | 14.40.090      | RPP Zone K No Permit Displayed                                                                                                                                                                                       | \$57               | \$87                       | \$137                      |
| BMC         | 14.40.090      | RPP Zone RPP Permit Expired                                                                                                                                                                                          | \$49               | \$79                       | \$129                      |
| BMC         | 14.40.090      | FD RPP Zone A,B,D Permit Expired                                                                                                                                                                                     | \$98               | \$128                      | \$178                      |
| BMC         | 14.40.090      | RPP Zone Permit Improper Display                                                                                                                                                                                     | \$49               | \$79                       | \$129                      |
| BMC         | 14.40.090      | FD RPP A,B,D Permit Impropr Dsply                                                                                                                                                                                    | \$98               | \$128                      | \$178                      |
| BMC         | 14.40.090      | No RPP Permit Displayed in Enhanced Fine Area (Football Game Days)                                                                                                                                                   | \$225              | \$255                      | \$305                      |
| BMC         | 14.40.130      | Pkg/Standing in City Lots/Spaces                                                                                                                                                                                     | \$55               | \$85                       | \$135                      |
| BMC         | 14.40.130 A    | City Lot No Permit Displayed                                                                                                                                                                                         | \$57               | \$87                       | \$137                      |
| BMC         | 14.40.130 C    | Reserved Pkg No Permit Displayed                                                                                                                                                                                     | \$49               | \$79                       | \$129                      |
| BMC         | 14.40.130 E    | Reserved City Hall Pkg Towable                                                                                                                                                                                       | \$64               | \$94                       | \$144                      |
| BMC         | 14.40.150 A    | Car Parking in Motorcycle Area                                                                                                                                                                                       | \$51               | \$81                       | \$131                      |
| BMC         | 14.40.150 B    | Motorcycle Zone Overtime                                                                                                                                                                                             | \$51               | \$81                       | \$131                      |
| BMC         | 14.40.160      | DbI-Pkd Commer Vehicle Center St                                                                                                                                                                                     | \$60               | \$90                       | \$140                      |
| BMC         | 14.44.020 B    | Commer Zone No Permit (yellow)                                                                                                                                                                                       | \$57               | \$87                       | \$137                      |
| BMC         | 14.44.020 B    | FD Commer Zone No Permit (yellow)                                                                                                                                                                                    | \$86               | \$116                      | \$166                      |
| BMC         | 14.44.020 A    | Commercial Zone Overtime                                                                                                                                                                                             | \$57               | \$87                       | \$137                      |
| BMC         | 14.44.020 A    | FD Commercial Zone Overtime                                                                                                                                                                                          | \$86               | \$116                      | \$166                      |
| BMC         | 14.44.030      | Passenger Load Zone (white curb)                                                                                                                                                                                     | \$57               | \$87                       | \$137                      |
| BMC         | 14.44.030      | FD Passgr Load Zone (white curb}                                                                                                                                                                                     | \$86               | \$116                      | \$166                      |
| BMC         | 14.44.040      | No Stopping Bicycle Zone                                                                                                                                                                                             | \$55               | \$85                       | \$135                      |
| BMC         | 14.44.040      | FD No Stopping Bicycle Zone                                                                                                                                                                                          | \$83               | \$113                      | \$163                      |
| BMC         | 14.44.050      | Special Passenger Load Zone only                                                                                                                                                                                     | \$57               | \$87                       | \$137                      |
| BMC         | 14.44.060      | Parking in Coach (bus) Zone                                                                                                                                                                                          | \$64               | \$94                       | \$144                      |
| BMC         | 14.44.060      | FD Parking in Coach (bus} Zone                                                                                                                                                                                       | \$96               | \$126                      | \$176                      |
| BMC         | 14.44.070      | Unauthorized Use of Funeral Zone                                                                                                                                                                                     | \$51               | \$81                       | \$131                      |
| BMC         | 14.44.080      | Taxicab Parking Only                                                                                                                                                                                                 | \$51               | \$81                       | \$131                      |
| BMC         | 14.44.080      | Unauthorized Taxicab Stand Pkg                                                                                                                                                                                       | \$51               | \$81                       | \$131                      |
| BMC         | 14.46.040 B    | Non-Electric Vehicle Parked in EV Space                                                                                                                                                                              | \$49               | \$79                       | \$129                      |
| BMC         | 14.46.050 B    | Electric Vehicle Exceeding EV Space Time Limit                                                                                                                                                                       | \$43               | \$73                       | \$123                      |
| BMC         | 14.46.050 C    | Electric Vehicle Not Actively Charging in EV Space                                                                                                                                                                   | \$43               | \$73                       | \$123                      |
| BMC         | 14.52.050 A    | Meter Street: Expired Meter                                                                                                                                                                                          | \$43               | \$73                       | \$123                      |
| BMC         | 14.52.050 A    | FD Meter Street: Expired Meter                                                                                                                                                                                       | \$65               | \$95                       | \$145                      |
| BMC         | 14.52.050 B    | Pay & Display Station Expired Time                                                                                                                                                                                   | \$43               | \$73                       | \$123                      |

| Code | Section     | Violation Description<br>(For citations issued to a vehicle)<br>FD = Football Game Days 9 a.m. to 11 p.m.<br>FD fines = 50% higher on most violations &<br>100% higher for violations in RPP Zones A,<br>B, D | Fine<br>Amount | On Day 28<br>+\$30 | On Day 47<br>+\$50 |
|------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|--------------------|--------------------|
| BMC  | 14.52.050 B | FD Pay & Display Sta Expired Time                                                                                                                                                                             | \$65           | \$95               | \$145              |
| BMC  | 14.52.060 A | Meter St: Extending Meter Time                                                                                                                                                                                | \$43           | \$73               | \$123              |
| BMC  | 14.52.060 A | FD Meter St: Extending Meter Time                                                                                                                                                                             | \$65           | \$95               | \$145              |
| BMC  | 14.52.060 B | Pay & Display Station Extend Time                                                                                                                                                                             | \$43           | \$73               | \$123              |
| BMC  | 14.52.060 B | FD Pay & Display Sta Extend Time                                                                                                                                                                              | \$65           | \$95               | \$145              |
| BMC  | 14.52.063   | P&D Dispensing Mach Tkt Not<br>Displayed                                                                                                                                                                      | \$43           | \$73               | \$123              |
| BMC  | 14.52.063   | FD P&D Dispens Mach Tkt Not<br>Displayed                                                                                                                                                                      | \$65           | \$95               | \$145              |
| BMC  | 14.52.066   | Improper Display of P&D Disp Mach Tkt                                                                                                                                                                         | \$43           | \$73               | \$123              |
| BMC  | 14.52.066   | FD Improper Display of P&D Disp Mach<br>Tkt                                                                                                                                                                   | \$65           | \$95               | \$145              |
| CVC  | 4000        | No Evidence Current Registration                                                                                                                                                                              | \$50           | \$80               | \$130              |
| CVC  | 4000        | Expired Registration                                                                                                                                                                                          | \$50           | \$80               | \$130              |
| CVC  | 4461 B      | Improper Lending of DP Placard or Plate                                                                                                                                                                       | \$550          | \$580              | \$630              |
| CVC  | 4461 C      | Improper Display of DP Placard or Plate                                                                                                                                                                       | \$550          | \$580              | \$630              |
| CVC  | 4461 D      | Improper Use of DP Placard or Plate                                                                                                                                                                           | \$550          | \$580              | \$630              |
| CVC  | 4463 C      | Use of Forged, Counterfeit, or False DP<br>Placard or Plate                                                                                                                                                   | \$550          | \$580              | \$630              |
| CVC  | 5200        | Missing License Plates                                                                                                                                                                                        | \$25           | \$55               | \$105              |
| CVC  | 5201        | Lic Plates Improperly Positioned                                                                                                                                                                              | \$25           | \$55               | \$105              |
| CVC  | 5202        | Hanging/Detached License Plate                                                                                                                                                                                | \$25           | \$55               | \$105              |
| CVC  | 5204 A      | Expired Tags (read back)                                                                                                                                                                                      | \$25           | \$55               | \$105              |
| CVC  | 5204 A      | Missing Tags                                                                                                                                                                                                  | \$25           | \$55               | \$105              |
| CVC  | 21113 A     | Parking on Public Grounds                                                                                                                                                                                     | \$54           | \$84               | \$134              |
| CVC  | 21211 B     | Vehicle Blocking Bicycle Lane                                                                                                                                                                                 | \$54           | \$84               | \$134              |
| CVC  | 21718       | Parking on Freeway                                                                                                                                                                                            | \$54           | \$84               | \$134              |
| CVC  | 22500 A     | Parking in an Intersection                                                                                                                                                                                    | \$60           | \$90               | \$140              |
| CVC  | 22500 A     | FD Parking in an Intersection                                                                                                                                                                                 | \$86           | \$116              | \$166              |
| CVC  | 22500 B     | Parking in Crosswalk                                                                                                                                                                                          | \$60           | \$90               | \$140              |
| CVC  | 22500 B     | FD Parking in Crosswalk                                                                                                                                                                                       | \$90           | \$120              | \$170              |
| CVC  | 22500 C     | Parking in Safety Zone                                                                                                                                                                                        | \$60           | \$90               | \$140              |
| CVC  | 22500 C     | FD Parking in Safety Zone                                                                                                                                                                                     | \$90           | \$120              | \$170              |
| CVC  | 22500 D     | Parking within 15' of Fire Station                                                                                                                                                                            | \$60           | \$90               | \$140              |
| CVC  | 22500 D     | FD Parking within 15' of Fire Station                                                                                                                                                                         | \$90           | \$120              | \$170              |
| CVC  | 22500 E     | Parking in Driveway                                                                                                                                                                                           | \$60           | \$90               | \$140              |
| CVC  | 22500 E     | FD Parking in Driveway                                                                                                                                                                                        | \$90           | \$120              | \$170              |
| CVC  | 22500 F     | Parking On/Across Sidewalk                                                                                                                                                                                    | \$60           | \$90               | \$140              |
| CVC  | 22500 F     | FD Parking On/Across Sidewalk                                                                                                                                                                                 | \$90           | \$120              | \$170              |
| CVC  | 22500 G     | Parking Construction No Permit                                                                                                                                                                                | \$60           | \$90               | \$140              |
| CVC  | 22500 G     | FD Parking Construction No Permit                                                                                                                                                                             | \$90           | \$120              | \$170              |
| CVC  | 22500 H     | Double-Parked                                                                                                                                                                                                 | \$60           | \$90               | \$140              |



| <b>Code</b> | <b>Section</b> | <b>Violation Description</b><br>(For citations issued to a vehicle)<br>FD = Football Game Days 9 a.m. to 11 p.m.<br>FD fines = 50% higher on most violations &<br>100% higher for violations in RPP Zones A,<br>B, D | <b>Fine Amount</b> | <b>On Day 28<br/>+\$30</b> | <b>On Day 47<br/>+\$50</b> |
|-------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------|----------------------------|
| CVC         | 22500 H        | FD Double-Parked                                                                                                                                                                                                     | \$90               | \$120                      | \$170                      |
| CVC         | 22500 I        | Parking/Stopping in Coach Zone                                                                                                                                                                                       | \$263              | \$293                      | \$343                      |
| CVC         | 22500 I        | FD Parking/Stopping in Coach Zone                                                                                                                                                                                    | \$263              | \$293                      | \$343                      |
| CVC         | 22500 J        | Parking in Tunnel                                                                                                                                                                                                    | \$54               | \$84                       | \$134                      |
| CVC         | 22500 K        | Parking on Bridge                                                                                                                                                                                                    | \$54               | \$84                       | \$134                      |
| CVC         | 22500 L        | Blocking Disabled Ramp                                                                                                                                                                                               | \$288              | \$318                      | \$368                      |
| CVC         | 22502 A        | Parking Over 18" from Curb 2-Way St                                                                                                                                                                                  | \$69               | \$99                       | \$149                      |
| CVC         | 22502 A        | FD Parking Over 18" from Curb 2-Way St                                                                                                                                                                               | \$104              | \$134                      | \$184                      |
| CVC         | 22503 E        | Parking Over 10" from Curb 1-Way St                                                                                                                                                                                  | \$58               | \$88                       | \$138                      |
| CVC         | 22507.8 A      | Parking in Disabled Zone                                                                                                                                                                                             | \$317              | \$347                      | \$397                      |
| CVC         | 22507.8 B      | Obstructing Access Disabled Zone                                                                                                                                                                                     | \$317              | \$347                      | \$397                      |
| CVC         | 22507.8 B      | FD Obstructing Access Disabled Zone                                                                                                                                                                                  | \$317              | \$347                      | \$397                      |
| CVC         | 22514 a        | Parking within 15' of Fire Hydrant                                                                                                                                                                                   | \$78               | \$108                      | \$158                      |
| CVC         | 22514 a        | FD Parking within 15' of Fire Hydrant                                                                                                                                                                                | \$117              | \$147                      | \$197                      |
| CVC         | 22521          | Parking within 7.5' of Railroad Tracks                                                                                                                                                                               | \$54               | \$84                       | \$134                      |
| CVC         | 22522          | Parking within 3' of Wheelchair Ramp                                                                                                                                                                                 | \$317              | \$347                      | \$397                      |
| CVC         | 22522          | FD Parking within 3' of Wheelchair Ramp                                                                                                                                                                              | \$317              | \$347                      | \$397                      |
| CVC         | 22523 a        | Abandon Vehicle on Highway                                                                                                                                                                                           | \$168              | \$198                      | \$248                      |
| CVC         | 22523 b        | Abandon Vehicle on Pub/Prvt Prop                                                                                                                                                                                     | \$168              | \$198                      | \$248                      |

Note: In addition to citation placed on vehicle, "Notice of Violation" is mailed to registered owner seven (7) days after citation and indicated when the fine penalty increases will occur: On Day 28 after citation issuance, the fine increases by \$30. If payment is not received within 45 days after issuance, on Day 47, the fine increases by an additional \$50.

Exhibit B: List New Parking Violations

| <b>Code</b> | <b>Section</b> | <b>Violation Description</b><br>(For citations issued to a vehicle)<br>FD = Football Game Days 9 a.m. to 11 p.m.<br>FD fines = 50% higher on most violations &<br>100% higher for violations in RPP Zones A,<br>B, D | <b>Fine Amount</b> | <b>On Day 28<br/>+\$30</b> | <b>On Day 47<br/>+\$50</b> |
|-------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------|----------------------------|
| BMC         | 14.40.090      | No RPP Permit Displayed in Enhanced Fine Area (Football Game Days)                                                                                                                                                   | \$225              | \$255                      | \$305                      |



**NOTICE OF PUBLIC HEARING  
BERKELEY CITY COUNCIL**

**FEES: RESIDENTIAL PREFERENTIAL PARKING PERMITS**

Notice is hereby given by the City Council of the City of Berkeley that a public hearing will be conducted by said city council of the City of Berkeley at which time and place all persons may attend and be heard upon the following:

The Department of Public Works is proposing to increase the cost of annual Residential Preferential Parking (RPP) permits, effective June 1, 2019, for permits purchased for FY 2020, as summarized below:

| <b>Permit Type</b>                                                                  | <b>Current Fee</b> | <b>Proposed Fee</b> |
|-------------------------------------------------------------------------------------|--------------------|---------------------|
| Annual Residential & In-Home Care                                                   | \$66.00            | \$90.00             |
| 1-Day Visitor                                                                       | \$3.00             | \$4.00              |
| 14-Day Visitor                                                                      | \$34.00            | \$47.00             |
| Semi-Annual Residential & In-Home Care                                              | \$33.00            | \$45.00             |
| Community-Serving Facility                                                          | \$83.00            | \$114.00            |
| Merchant                                                                            | \$185.00           | \$253.00            |
| 1-Day Senior Center                                                                 | \$1.00             | \$1.00              |
| Replacement of Annual, 14-Day, Community-Serving Facility, & Merchant Permits       | \$15.00            | \$21.00             |
| Surcharge Per Additional Annual Residential Permit Over Maximum, If Waiver Approved | \$100.00           | \$100.00            |

The hearing will be held on Tuesday, May 14, 2019 at 6:00 p.m. in the School District Board Room, 1231 Addison Street.

For further information, please contact Farid Javandel, Transportation Division Manager, at (510) 981-7061.

A copy of the agenda material for this hearing will be available on the City’s website at [www.CityofBerkeley.info](http://www.CityofBerkeley.info) as of May 2, 2019.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City’s electronic records, which are accessible through the City’s website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become**

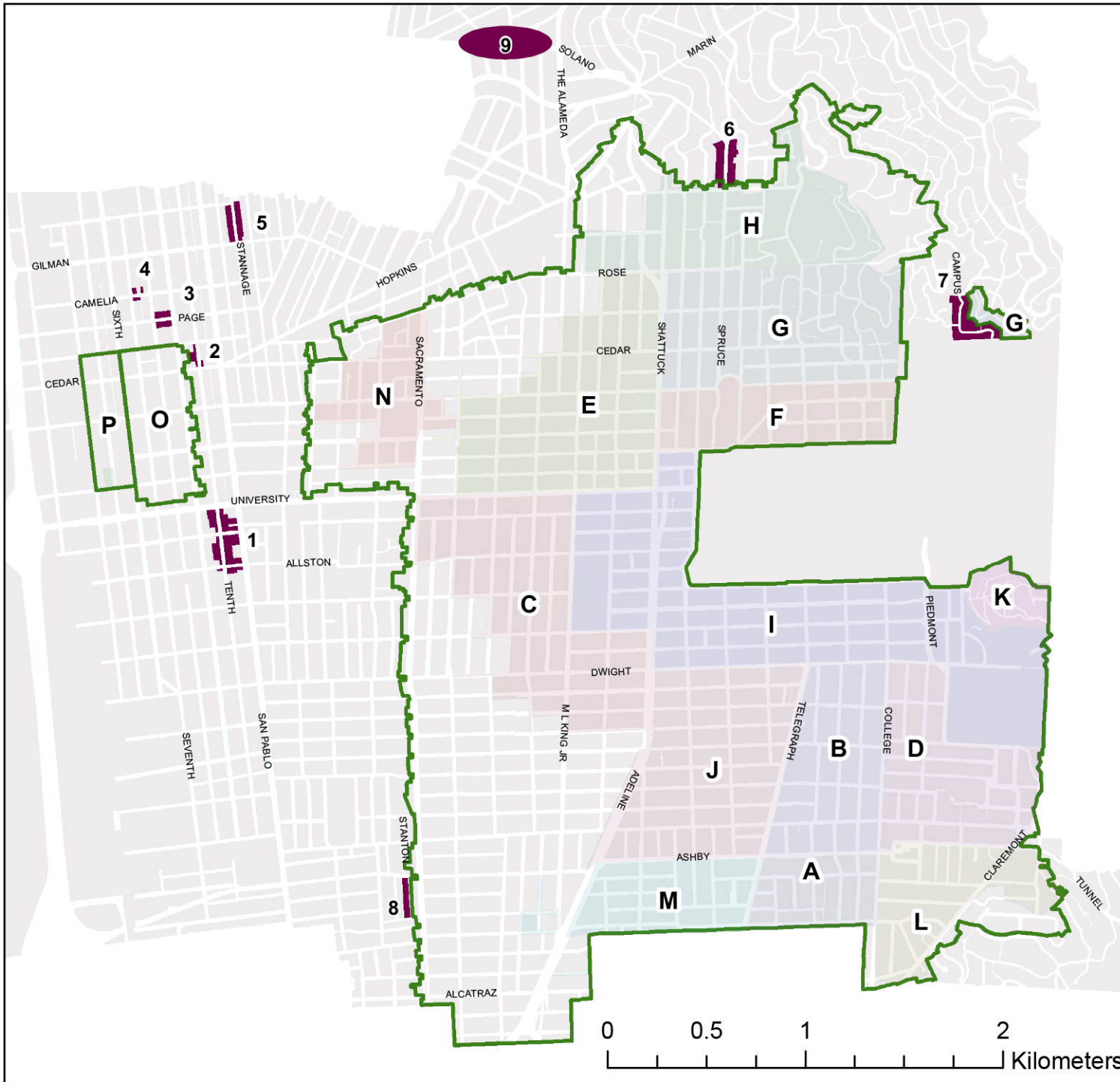
**part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at 981-6900 or [clerk@cityofberkeley.info](mailto:clerk@cityofberkeley.info) for further information.

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available at the City Clerk Department and posted on the City of Berkeley webpage at least 12 days prior to the public hearing.

**Published:** May 3 and May 10, 2019 – The Berkeley Voice

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on May 2, 2019.

Mark Numainville, City Clerk



ATTACHMENT 6

EXISTING ELIGIBILITY AND INELIGIBLE OPT-IN REQUESTS

- Existing RPP Area Extents
- Current Eligibility Boundary
- Out of Area Opt-In Requests

FY 2019 Requests

1. 10th between University and Allston with adjacent side streets
2. 10th between Jones and Cedar
3. Page between 8th and 9th
4. Camelia between 7th and 8th

Requests Prior to FY 2019

5. Stannage between Gilman and Harrison
6. Spruce between Los Angeles to Eunice
7. Campus between Avenita and LBL Campus
8. Stanton between Ashby and Prince
9. Multiple requests from Solano neighborhood

This map is for reference purposes only.

Care was taken in the creation of this map, but it is provided "AS IS". Please contact the City of Berkeley to verify map information or to report any errors.
March 20, 2019



Office of the City Manager

INFORMATION CALENDAR

May 14, 2019

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Phillip Harrington, Director, Public Works
 Subject: Residential Preferential Parking Program: Spring 2019 Update

INTRODUCTION

This report provides an update on the effects of the 2018 “short-term” adjustments to the Residential Preferential Parking Program (RPP). An accompanying Public Hearing Report, also on the May 14, 2019 agenda, provides a road map for continued strategic reform and expansion of the Program in the “mid-term” timeframe (Fiscal Years 2020-2021).

CURRENT SITUATION AND ITS EFFECTS

On February 13, 2018, Council approved staff recommendations to expand eligibility for Residential Preferential Parking to two new areas in West Berkeley (Area O and Area P, in the area zoned Mixed-Use Residential); authorize new meters in West Berkeley to manage commercial parking adjacent to residences in mixed-use areas; add a limit of three (3) annual permits available for purchase at most residential addresses; and increase permit fees to eliminate the Program’s operating deficit. Since these recommendations were approved, the following has occurred:

- Increased RPP Program fiscal solvency. Effective July 1, 2018, RPP permit fees increased and the annual permit cap (3 permits per address) was implemented. As of March 2019, revenues from RPP permit sales were 12% lower than the previous year, with 9% fewer permits sold.¹ Due in part to these lower than expected revenues, the Program continues to operate at a deficit of approximately \$124,675. Nevertheless, this represents a reduction of \$71,125 in the Program deficit since FY 2017, when the structural deficit totaled \$195,800.
- Implementation of annual permit maximum. As part of the February 2018 action, Council approved a new maximum of three (3) annual permits in most areas. Customers needing more than the maximum are able to apply for a waiver to the limit. As of March 1, 2019, a total of 105 waiver forms were received, with 93 approved for a permit. Per the BMC, these “additional permits” incur a \$100 surcharge on the base permit fee. Initially created to facilitate the waiver process,

¹ Analysis for Fiscal Year 2019 included the most recent twelve months of available data at the time of writing: April 2018 through March 2019.

a new email address, RPP@cityofberkeley.info, has provided the public a new way to submit questions about the RPP Program.

- Despite the introduction of two new RPP areas, few residents in these areas have taken advantage of access to RPP Program protections. After Council approved the expansion of RPP opt-in eligibility in February 2018, staff sent a letter to each residential address in the new West Berkeley Areas O and P (and the expansion of existing Area L) announcing the decision and explaining how to opt-in to the RPP Program. As of March 1, 2019, only four (4) out of a total of 537 newly-eligible residential parcels successfully submitted an opt-in request, which was approved by Council on January 29, 2019.²
- Enforcement of street sweeping restrictions has not changed. See “Update: Parking Enforcement Operations” section below.

Update: Permit Saturation Analysis

To better understand the Program’s role in mitigating parking demand between residents and visitors, staff performed an analysis of “permit saturation,” i.e., the ratio of permits issued per permitted parking space. This type of analysis, which was also conducted by the San Francisco Municipal Transportation Agency (SFMTA) in its recent *San Francisco Residential Permit Parking Evaluation and Reform Project*,³ sheds light on demand for parking in different RPP Program areas.

This analysis included annual permits issued for FY 2019 in the Southside and Elmwood neighborhoods (Areas A, B, D, I, and L).⁴ As summarized in the table below and depicted in Attachment 1, annual permits issued in each area account for 72% to more than 100% of permitted parking spaces in these neighborhoods. In Area B, more annual permits are issued than permitted parking spaces are available, and in Area I, the saturation rate is nearly 100%.

RPP Area	On-Street Permit Parking Supply, 2017	Annual RPP Permits Issued for FY 2019	Permit Saturation %
B	1009	1142	113%
I	990	973	98%
A	497	425	86%
D	1318	1067	81%
L	923	667	72%

² January 29, 2019 City Council Agenda: Implement Residential Preferential Parking (RPP) Program on Sections of Fifth Street and Martin Luther King Jr. Way: <https://bit.ly/2SXCEiW>

³ San Francisco Residential Permit Parking Evaluation and Reform Project, <https://bit.ly/2tXwxfJ>

⁴ Note: This analysis does not account for any visitor, community facility, and/or Gig car-share permits issued for FY 2019, which further contribute to variable parking demand in these neighborhoods. Likewise, it does not account for actual usage of the parking permits, e.g., the variability in parking demand on a block-to-block level, or parking occupancy of permit holders over the course of a day.

While this analysis is only a snapshot of parking conditions in some RPP areas, it indicates that there is significant competing parking demand among permitted residents, let alone from non-permitted visitors who are subject to the two-hour time limit, which the Program was originally designed to mitigate.

Additional data collection and analysis on the RPP Program in the Southside and Elmwood neighborhoods will be conducted as part of the grant-funded Residential Shared Parking Pilot (RSPP) project, which will begin later this year.⁵ This pilot project will also examine alternatives to permit-based management of non-resident parking demand.

Update: Parking Enforcement Operations

Since staff provided Council with the “Phase I” RPP Reform and Expansion update in early 2018, there have been no substantive changes to parking enforcement operations. Eighteen (18) Parking Enforcement Officers (PEOs) patrol geographic “beats” that include a mix of parking meters and RPP time-limited parking areas. Within these beats, PEOs enforce parking restrictions on over 1,000 blockfaces⁶ with RPP two-hour time limit restrictions, 460 blockfaces with parking meters of varying time limits, and all other time-limited parking areas.

Three (3) more PEOs are solely assigned to enforce street sweeping restrictions. In areas with street sweeping, posted signs prohibit parking during three-hour windows, e.g., 9:00 a.m. to 12:00 p.m., or 12:30 p.m. to 3:30 p.m. These three-hour windows are designed to maximize flexibility for street sweeping activities, which may be delayed due to localized issues such as heavy leaf falls in areas with thick tree canopies.

Enforcement of street sweeping parking restrictions consists of driving street sweeping routes immediately in front of the sweeper and issuing citations to vehicles in violation of parking restrictions. When the sweeper’s hopper is full, the PEO must wait for the sweeper to empty its load at the City’s Solid Waste Management and Transfer station, then return to the route before continuing enforcement activities. If the sweeper and its accompanying PEO have completed a blockface prior to the end of the three-hour window, vehicles are *de facto* allowed to park on the street in violation of posted restrictions. While providing a convenience to adjacent residents, the current street sweeping enforcement practice reduces the capacity of PEOs to conduct other duties.

In all, approximately half of parking enforcement time is spent conducting RPP time limit patrols. The remaining half includes enforcing parking meters, time limited areas, school zones, travel time, and being pulled away for emergencies (e.g., traffic collisions). As demands on parking enforcement increased over the past several years while staffing

⁵ July 24, 2018 *City Council Agenda: Contract: Nelson\Nygaard for Parking Data Collection and Analysis Services for the goBerkeley Residential Shared Parking Pilot* <https://bit.ly/2nFcqQ2>

⁶ A blockface is defined as one side of one street, e.g., the west side of Milvia Street between Allston Way and Center Street.

levels remained constant, PEOs no longer conduct both morning and afternoon patrols of time limits in RPP areas—depending on daily duties, a blockface may be patrolled either in the morning or in the afternoon. Similarly, each new resident “opt-in” petition approved by Council further reduces the frequency and availability of enforcement for existing parking areas.

BACKGROUND

The RPP Program began in 1980 (1) to protect Berkeley residential neighborhoods from an influx of non-resident vehicles and related traffic; (2) to assure continued quality of life for residents; and (3) to provide neighborhood parking for residents. The Program limits parking for vehicles not displaying an RPP permit in most RPP areas to two hours, and reserves available daytime parking for residents, between 9:00 a.m. and 7:00 p.m. Monday through Friday, and on some blocks Saturday.

In March 2014,⁷ Council directed staff to evaluate expanding the RPP Program beyond its then-current geographic boundaries. At a September 2017 Council Worksession, staff discussed several challenges with the RPP Program, and proposed incremental solutions to be implemented over the next three years.⁸ In February 2018, staff returned to Council with a first set of “short-term” policy reforms, including increased permit fees for Program cost neutrality, a limit of three (3) annual permits per address, and an expansion of RPP eligibility to two new zones in West Berkeley.⁹ Improving the effectiveness of the RPP Program is a Strategic Plan Priority Project, advancing the City’s goals to:

- Provide an efficient and financially-health City government; and
- Be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

ENVIRONMENTAL SUSTAINABILITY

The presence of two-hour time limits for non-residents as part of the RPP Program may encourage some commuters to use other modes of travel, potentially reducing parking demand and congestion. However, other commuters may continue to drive despite the restrictions, and move their cars every two hours to avoid being ticketed. This behavior has an adverse impact on traffic congestion, air quality, and excess fuel consumption.

POSSIBLE FUTURE ACTION

This report is accompanied by a RPP Public Hearing Report, also on the May 14, 2019 agenda, which provides recommendations for enhancing and expanding the RPP Program over the next several years.

⁷ March 11, 2014 *City Council Agenda: Expansion of Permit Parking to Impacted Areas*: <http://bit.ly/2vTgngD>

⁸ September 19, 2017 *City Council Agenda: Residential Preferential Parking (RPP) Program Recommendations*: <https://bit.ly/2iWaPDa>

⁹ February 27, 2018 *City Council Agenda: Residential Preferential Parking (RPP) Program Reform and Expansion*: <https://bit.ly/2Yq6tYB>.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Please refer to the Fiscal Impacts section of the accompanying report for more information.

CONTACT PERSON

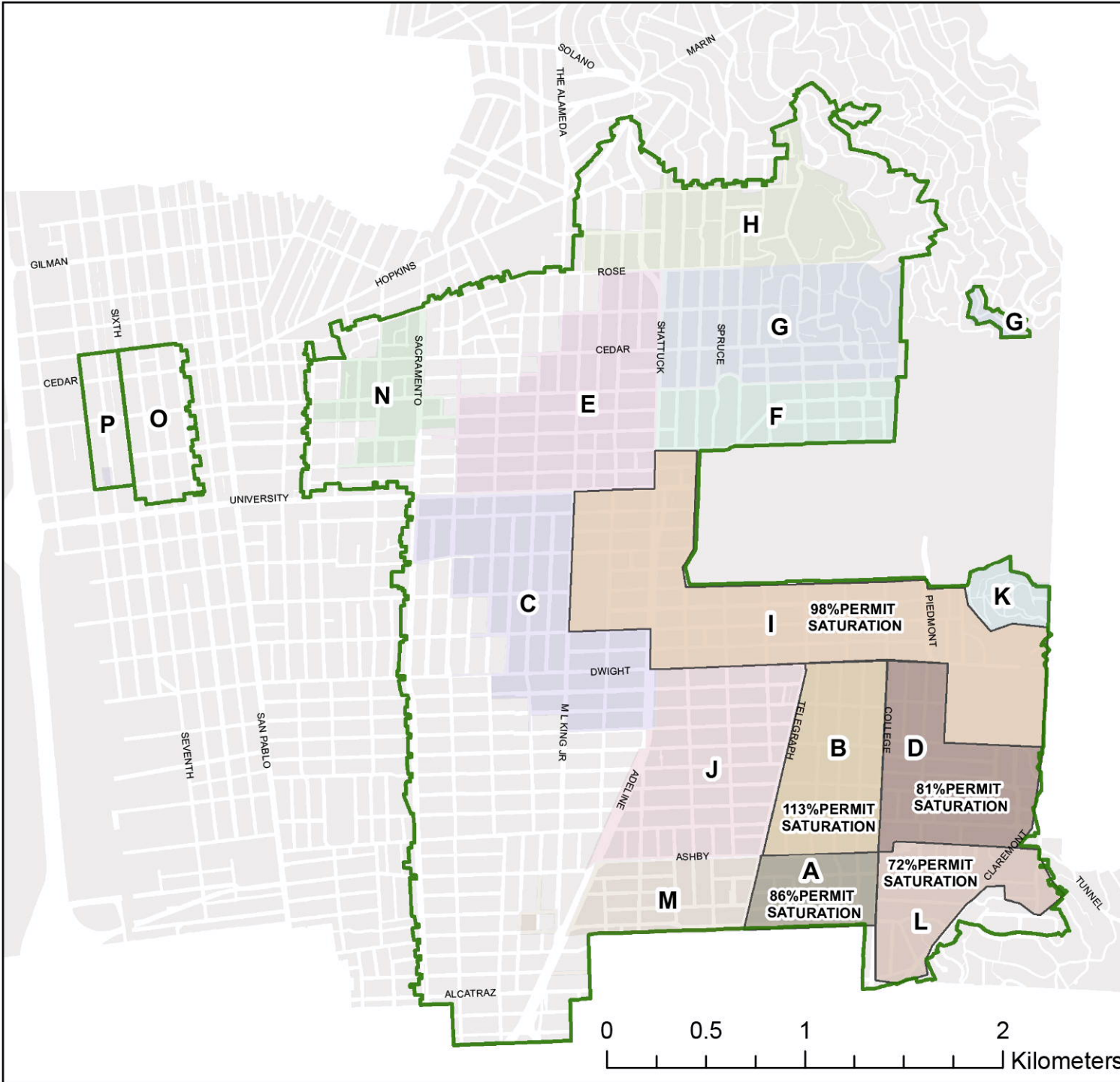
Farid Javandel, Transportation Manager, Public Works (510) 981-7061

Danette Perry, Parking Services Manager, Public Works (510) 981-7057

Gordon Hansen, Senior Planner, Public Works (510) 981-7064

Attachments:

1: FY 2019 Permit Saturation



ATTACHMENT 1

FY 2019 PERMIT SATURATION

- Existing RPP Area Extents
- Current Eligibility Boundary

This map is for reference purposes only.

Care was taken in the creation of this map, but it is provided "AS IS". Please contact the City of Berkeley to verify map information or to report any errors.
 March 20, 2019



CITY OF BERKELEY
 Transportation Division
 1947 Center Street
 Berkeley CA 94704



Office of the City Manager

PUBLIC HEARING
February 27, 2018
(Continued from February 13, 2018)

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Phillip L. Harrington, Director, Public Works
Subject: Residential Preferential Parking (RPP) Program Reform and Expansion

RECOMMENDATION

Conduct a public hearing and upon conclusion:

1. Adopt second reading of Ordinance No. 7,589-N.S. amending Berkeley Municipal Code Title 14 to expand eligibility for Residential Preferential Parking to specified areas, allow Residential Preferential Parking in areas zoned Mixed Use Residential, authorize new meters in West Berkeley to manage commercial parking adjacent to residences in mixed-use areas, add a cap on the number of annual permits residents may purchase, and
2. Adopt a Resolution raising permit fees to eliminate the Program's operating deficit and rescinding Resolution No. 66,895-N.S. effective March 1, 2018.

SUMMARY

The recommended actions constitute a package of short-term changes to the RPP Program, developed in response to Council feedback at the September 19, 2017 Residential Preferential Parking (RPP) Program Recommendations Worksession.¹ The changes include: 1) expanding the RPP Program to three new areas in the City by strategically reallocating Parking Enforcement resources currently assigned to street sweeping; 2) implementing the RPP Program in mixed-use areas near Fourth Street in West Berkeley, under a new set of guidelines specifically developed for mixed-use areas; and 3) strengthening the RPP Program's effectiveness by increasing permit fees to make the program cost-neutral and setting a maximum number of residential permits per address available for purchase in a year.

FISCAL IMPACTS OF RECOMMENDATION

Per established Council Budget Policies,² the RPP Program should pay for itself. Following the September 19, 2017 Residential Preferential Parking (RPP) Program Recommendations Worksession with Council, staff completed the Fiscal Year (FY)

¹ September 19, 2017 *City Council Agenda: Residential Preferential Parking (RPP) Program Recommendations*: <http://bit.ly/2iWaPDa>

² "Council Budget Policies": <http://bit.ly/2z4UiFY>

2017 RPP Program analysis, which found the Program’s structural annual deficit decreased to approximately \$195,800.

The proposed fee structure is projected to generate approximately \$196,400 of additional revenue for the General Fund (Fund 010) beginning March 1, 2018. The following table reflects increases for each type of permit in the RPP fee structure to result in a cost-neutral Program.

Permit Type	Current Fee	Proposed Fee	\$ Increase	% Increase
Annual Residential & In-Home Care	\$55.00	\$66.00	\$11.00	20%
1-Day Visitor	\$2.75	\$3.00	\$0.25	9%
14-Day Visitor	\$28.50	\$34.00	\$5.50	19%
Semi-Annual Residential & In-Home Care	\$27.50	\$33.00	\$5.50	20%
Community-Serving Facility	\$69.00	\$83.00	\$14.00	20%
Merchant	\$154.00	\$185.00	\$31.00	20%
1-Day Senior Center	\$1.25	\$1.00	-\$0.25	-20%
Replacement of Annual, 14-Day, Community-Serving Facility, & Merchant Permits	\$12.50	\$15.00	\$2.50	20%

The proposed fee structure will generate approximately \$1,199,400 in revenue for the General Fund in FY 2019. This increase of \$196,400 in revenue would close the current deficit, resulting in a cost-neutral Program (the \$600 difference is within the margin of approximation). With the proposed fee increase, the total Program revenue is projected to be \$2.53 million including the revenue resulting from RPP-related citations.

RPP Program Financial Components	FY 2017 Actuals	FY 2019 Projections
Total RPP Permit Fee Revenue	\$1,003,000	\$1,199,400
RPP-Related Citation Revenue	\$1,332,400	\$1,332,400
Total Revenue	\$2,335,400	\$2,530,900
Total RPP Program Costs	\$2,531,200	\$2,531,800
RPP Program Deficit/Surplus	(\$195,800)	\$600

These revenue projections are based on the RPP Program at its current geographic extents. While RPP revenues are assumed to increase as residents opt-in and purchase permits in new areas (discussed below), actual amounts of new permit purchases and citations are unknown, making future revenues difficult to forecast.

Program Expansion Costs

Program expansion costs primarily consist of new sign installation (labor and materials), which is approximately \$1,150 per block.³ Assuming thirty-two new blocks opt-in, the total cost of expansion will be approximately \$36,800. Within the special West Berkeley Mixed-Use area, new parking meters will cost approximately \$87,040. Funding for the Program expansion will be recommended for appropriation through the FY 2018 Second Amendment to the FY 2018 Annual Appropriations Ordinance from the Parking Meter Fund 840-5505-431.11-01 and 840-5505-431.55-20 (\$36,800), and 840-4940-431.71-41 and 840-4940-431.70-41 (\$87,040). The costs and revenues associated with the parking meters relate to the Parking Meter Fund, not the RPP Program.

Enforcement in the expansion areas will not incur new staff costs, pursuant to a strategic reallocation of labor on street sweeping routes, as discussed in more detail below. Staff expect the modest costs of expansion will be covered by new revenues, particularly with the increase in permit fees. Staff will continue to monitor the costs and revenues of the RPP Program as it expands.

CURRENT SITUATION AND ITS EFFECTS

Parking in residential areas is currently managed through two separate programs: the street sweeping program, which cleans most residential streets in the flat areas of the City; and the RPP Program currently in effect in fourteen zones to the north, west, and south of the University of California at Berkeley (UC-Berkeley) campus. Under the street sweeping program, parking is prohibited on applicable streets for a three-hour window once per month. Streets included in the RPP Program have two-hour time limits for vehicles without an applicable RPP permit. Parking Enforcement staff regularly monitor these areas to ensure motorists consistently adhere to posted street sweeping restrictions and RPP time limits.

Fifteen Parking Enforcement Officers (PEOs) patrol geographic “beats” that include a mix of meters and RPP time limited parking areas. Three more PEOs are solely assigned to enforce street sweeping restrictions, which consists of driving street sweeping routes immediately in front of the sweeper and issuing citations to vehicles in violation of parking restrictions. Under current business practices, when the sweeper reaches maximum rubbish capacity, the PEO must wait for the sweeper to empty its load at the City’s Solid Waste Management and Transfer station, then return to the route before continuing enforcement activities. These three PEOs could be used to enforce additional RPP areas, thus allowing the City to modestly but strategically expand the RPP Program in the short-term without hiring additional PEO staff.⁴

³ Staff assumes six RPP signs per block (three signs on each side of the block).

⁴ Under this proposal, PEOs would no longer accompany street sweeping vehicles, but beat officers would enforce restrictions during the three-hour restriction window, before the sweeper cleans the street, and allow time for other pending responsibilities. This recommendation was developed in collaboration with Police and Parking Enforcement staff. In the future, street sweeping vehicles may be equipped with GPS beacons, which would allow residents to check when streets reopen for parking in real-time.

Staff Proposal: Targeted Expansion of the Existing RPP Program

Based on recent requests by residents to join the RPP Program, staff recommend expanding the existing RPP Program to two areas in the short-term:

1. Expansion of Area L (Claremont). Up to eight blocks of Encina Place, Oakvale Avenue, The Plaza Drive, Parkside Drive, and Nogales Street would be able to petition for Area L RPP designation and right to purchase permits.
2. New West Berkeley Area. Up to sixteen blocks in the residential area bounded by Jones Street, University Avenue, Sixth Street, and Ninth Street would be able to petition for RPP permits.

Residents in these areas would be able to opt-in to the Program under existing guidelines as set forth in BMC Section 14.72,⁵ and would be restricted in the number of permits they are able to purchase per reforms recommended in this report. See Attachment 5 for a map of these targeted expansion areas.

Staff Proposal: RPP Expansion to the Mixed-Use Areas of West Berkeley

Parts of West Berkeley are zoned as Mixed-Use Residential.⁶ In practice, mixed-use development may consist of buildings with ground-floor commercial or retail space and residences in upper floors, or may also manifest as blocks containing residences interspersed with commercial or industrial spaces (or vice versa).

Because the standard RPP Program was developed for implementation in “residentially zoned” neighborhoods only (defined as primarily single- or multi-family homes), a modified approach is needed for the Mixed-Use Residential zone adjacent to the Fourth Street commercial area in West Berkeley.⁷ Presently, curb parking in this mixed-use area is largely unregulated, with a few time-limited spaces adjacent to some businesses. Preliminary observations suggest parking availability during the day is severely constrained and appears to be very popular with local area employees. Staff is sensitive to potential conflicts between employees and residents, and are designing an approach that includes:

- Leveraging existing parking management tools wherever possible, including parking meters for increasing parking availability adjacent to commercial land uses, and standard RPP time-limit restrictions adjacent to residences. Depending on local needs, meter time limits could extend to four or eight hours.
- In blocks with residences interspersed among other uses, designating up to one-half of that block’s curb space for RPP time-limited parking if a majority of these residences petition to opt-in to the Program, leaving the other parking spaces available for other uses. In standard RPP areas, entire block faces adjacent to

⁵ Berkeley Municipal Code Section 14.72: <http://bit.ly/2C0Oob0>

⁶ Berkeley Municipal Code Chapter 23E.84: <http://bit.ly/2zd09sB>

⁷ This area roughly includes Fourth and Fifth Streets between Jones Street and Hearst Avenue. See Attachment 5 for a map showing this area.

residences are typically included in the Program, because of the homogenous nature of these residentially-zoned areas.

- Phasing in the installation of meters on mixed-use blocks, contingent on residential opt-ins, to reduce the impact of “spillover” parking on residents while providing for employee and customer parking.
- Limiting the number of available residential permits to two per address, given on-street supply constraints. In standard RPP areas, the recommended cap is three per address.

Other cities have approached mixed-use areas in different ways: While some (like Oakland) have embraced merchant or employee permits, others (like San Francisco) have focused more on bolstering the use of meters and long time limits to ensure permit parking privileges are not diluted.

Staff Proposal: RPP Program Management Reform

Subsequent to Council’s support at the September 19, 2017 Residential Preferential Parking (RPP) Program Recommendations Worksession, staff will implement a cap for FY 2019 permits where three residential permits per address will be available for purchase in one year. In special circumstances, applicants may request a waiver to this limit. If the waiver is approved by the Traffic Engineer, each additional permit above the cap will incur a surcharge of \$100, in addition to the base annual fee. Any resulting reduction in the number of annual permits sold per each address will increase the Finance Department’s capacity to fulfill permits and provide customer service for an expanding RPP Program.

The attached Ordinance also modifies BMC Chapter 14.72.030 to clarify the definition of a “trapped resident.”

Staff Proposal: RPP Permit Fee Increase

Council last set RPP permit fees via Resolution No. 66,895 on December 16, 2014⁸ with the goal of reducing the program deficit and with the expectation that the remaining deficit would be eliminated through a future Council action. At this time fees do not cover the costs associated with administering the Program. Current fees only partially support: Parking Enforcement staffing costs to enforce parking restrictions in RPP areas; Finance Revenue Collection and Customer Service costs for printing, postage, and processing renewals; and Public Works Transportation costs to manage the Program. As discussed in the Fiscal Impacts section, the current RPP Program operates at a deficit of approximately \$195,800. Staff has proposed an increase of approximately 20% for all permit fees to close the funding gap.

⁸ December 16, 2014: *City Council Agenda: Fees: New Rate Schedule for Residential Preferential Parking Permits*: <http://bit.ly/2DQsKXP>

Next Steps

If these recommendations are approved, staff will begin processing opt-in requests immediately, and will fully implement the targeted expansion in the FY 2019 permit year. Effective March 1, 2018, all FY 2019 permits will be sold at the new rates proposed in the attached resolution.

Staff intend to bring additional mid-term recommendations to Council in coming months, after new Automated License Plate Recognition (ALPR) systems are in full operation. These recommendations will include proposals for staffing, additional RPP Program expansion areas, consistent Monday-Saturday enforcement, and a UC-Berkeley Football Game Day Special Event Permit proposal.

BACKGROUND

In March 2014,⁹ Council asked staff to evaluate the costs and benefits of allowing the RPP Program to expand beyond its then-current geographic boundaries. At the September 19, 2017 Council Worksession, staff presented a comprehensive analysis of challenges to the RPP Program, and proposed solutions to these challenges to be implemented in stages over the next three years. This report responds to Council's comments at that Worksession, particularly in Attachment 4, and provides a road map for strategic reform and expansion of the existing Program in the short-term timeframe (FY 2018-2019).

The RPP Program was instituted in 1980 (1) to protect Berkeley residential neighborhoods from an influx of non-resident vehicles and related traffic; (2) to assure continued quality of life for residents; and (3) to provide neighborhood parking for residents. The Program limits parking for vehicles not displaying an RPP permit in most RPP areas to two hours, and reserves available daytime parking for residents, between 9:00a.m. and 7:00p.m. Monday through Friday, and on some blocks Saturday.

ENVIRONMENTAL SUSTAINABILITY

Expansion of the RPP Program may encourage some drivers who work in commercial areas adjacent to proposed RPP areas to consider using other modes of travel, thereby potentially reducing parking demand and congestion. Implementing a limit on the number of available permits may also encourage residents to consider alternatives to driving and parking for trips within the City. While use of other transportation modes may result in a reduction in vehicle traffic and a corresponding reduction in greenhouse gases, based, however, upon feedback from merchants adjacent to existing RPP Program areas, staff anticipate the "two-hour shuffle" may also begin to occur in RPP expansion areas. This behavior would have an adverse impact on traffic congestion, air quality, and excess fuel consumption.

⁹ March 11, 2014 *City Council Agenda: Expansion of Permit Parking to Impacted Areas:*
<http://bit.ly/2vTgnqD>

RATIONALE FOR RECOMMENDATION

At the September 19, 2017 Worksession, Council consensus was for staff to begin expansion of the RPP Program, impose caps on the number of available residential permits, and reduce the Program deficit. The recommendations contained in this report address these requests.

ALTERNATIVE ACTIONS CONSIDERED

Council could reject these recommendations, which would keep the status quo RPP Program, including its ongoing operating deficit.

CONTACT PERSON

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Attachments:

- 1: Ordinance for Second Reading
- 2: Resolution
- 3: Public Hearing Notice
- 4: Response to Council Questions from September 19, 2017 Worksession
- 5: Map of Targeted Expansion Areas

ORDINANCE NO. 7,589-N.S.

AMENDING BERKELEY MUNICIPAL CODE TITLE 14 TO EXPAND METERED AREAS
IN WEST BERKELEY AND REFORM AND EXPAND THE RESIDENTIAL
PREFERENTIAL PARKING (RPP) PROGRAM

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 14.52.010 amended to read as follows:

14.52.010 Parking meter zones.

A. Parking meter zones are those streets or portions of streets in the City hereinafter described as zones within which the parking of motor vehicles shall be controlled, regulated and inspected with the aid of parking meters, pay-and-display stations and/or a City-approved software application that processes pay-by-phone payments from a mobile phone, consisting of:

Acton Street, both sides, from 150 feet north of University Avenue to University Avenue.

Adeline Street, east side, from Ward to Stuart Street.

Adeline Street, both sides, from Stuart Street to Oregon Street.

Adeline Street, east side, from Oregon Street to Russell Street.

Adeline Street, both sides, from Russell Street to Ashby Avenue.

Alcatraz Avenue, south side, from 75 feet east of College Avenue to College Avenue.

Ashby Avenue, both sides, from Domingo Avenue to Claremont Avenue.

Blake Street, both sides, from Telegraph Avenue to 125 feet west of Telegraph Avenue.

Bonar Street, east side, from University Avenue to 150 feet south of University Avenue.

Bonar Street, west side, from University Avenue to Addison Street.

California Street, both sides, from 100 feet north of University Avenue to 100 feet south of University Avenue.

Camelia Street, north side, from Ninth Street to Tenth Street.

Camelia Street, north side, from San Pablo Avenue to 100 feet west of San Pablo Avenue.

Claremont Avenue, east side, from Russell Street to Ashby Avenue.

Claremont Avenue, west side, from Russell Street to Claremont Boulevard.

Colby Street, west side, from Webster Street to South Hospital Drive.

College Avenue, east side, from 150 feet north of Alcatraz Avenue to Berkeley-Oakland city limits south of Alcatraz Avenue.

College Avenue, west side, from Alcatraz Avenue to Berkeley-Oakland city limit, south of Alcatraz Avenue.

Colusa Avenue, east side, from 225 feet south of Solano Avenue to Catalina Avenue.

Colusa Avenue, west side, from 180 feet south of Solano Avenue to Catalina Avenue.

Curtis Street, both sides, from 100 feet north of University Avenue to University Avenue.

Derby Street, north side, from 150 feet east of Telegraph Avenue to 50 feet west of Telegraph Avenue.

Derby Street, south side, from 150 feet east of Telegraph Avenue to Telegraph Avenue.

Derby Street, south side from Milvia Street to 300 feet east of Milvia Street.

Domingo Avenue, both sides, from Berkeley-Oakland city limit to Ashby Avenue.

Dwight Way, north side, from San Pablo Avenue extending 40 feet east of San Pablo Avenue.

Ensenada Avenue, east side, from 90 feet south of Solano Avenue, to 66 feet north of Solano Avenue.

Euclid Avenue, west side, beginning at Hearst Avenue and extending 130 feet north of Ridge Road.

Euclid Avenue, east side, beginning at Hearst Avenue and extending 135 feet north of Ridge Road.

Francisco Street, both sides, from Shattuck Avenue to 100 feet west of Shattuck Avenue.

Fresno Avenue, east side, from 69 feet south of Solano Avenue to Solano Avenue.

Grayson Street, south side, from San Pablo Avenue extending 60 feet west of San Pablo Avenue.

Grove Street, both sides, from Allston Way to Berkeley Way.

Hearst Avenue, north side, from Scenic Avenue to LaLoma Avenue.

Hearst Avenue, north side, from Third Street to Fifth Street.

Hearst Avenue, south side, from Euclid Avenue to Gayley Road.

Hearst Avenue, south side, from Oxford Street to Arch Street

Hearst Avenue, south side, from Third Street to Sixth Street.

LaLoma Avenue, both sides, from Hearst Avenue to Ridge Road.

LeRoy Avenue, both sides, from Hearst Avenue to Ridge Road.

Lincoln Street, south side, from Shattuck Avenue to 150 feet west of Shattuck Avenue.

McKinley Avenue, east side, from approximately 110 feet from Allston Way to 155 feet, Monday through Friday, nine a.m. to six p.m.

Milvia Street, east side from Derby Street to Ward Street.

Modoc Street, east side, from 90 feet south of Solano Avenue to Solano Avenue.

Modoc Street, west side, from 66 feet south of Solano Avenue to Solano Avenue.

Oregon Street, north side, from 75 feet east of Telegraph Avenue to 50 feet west of Telegraph Avenue.

Oregon Street, south side, from 175 feet east of Telegraph Avenue to Telegraph Avenue.

Oregon Street, both sides, from Adeline Street to Shattuck Avenue.

Page Street, north side, from San Pablo Avenue to Tenth Street.

Pardee Street, south side, from San Pablo Avenue extending 60 feet west of San Pablo Avenue.

Parker Street, both sides, from 200 feet west of Regent Street to 100 feet west of Telegraph Avenue.

Peralta Avenue, both sides, from Solano Avenue to Capistrano Avenue.

Regent Street, west side, from Ashby Avenue to South Hospital Drive.

Regent Street, east side, from Ashby Avenue to 125 feet south of Webster Street.

Ridge Road, north side, beginning 120 feet west of Euclid Avenue and extending 100 feet east of Euclid Avenue.

Ridge Road, south side, from 180 feet west of Euclid Avenue to LeRoy Avenue.

Rose Street, north side, from 100 feet east of Shattuck Avenue to 100 feet west of Henry Street.

Rose Street, south side, from Walnut Street to Shattuck Place.

Russell Street, south side, from 75 feet east of Telegraph Avenue to 100 feet west of Telegraph Avenue.

San Pablo Avenue, both sides, from Hearst Avenue to Allston Way.
San Pablo Avenue, both sides, from Harrison Street to Gilman Street.
San Pablo Avenue, east side, from Gilman Street to Camelia Street.
San Pablo Avenue, both sides, from Camelia Street to Virginia Street.
San Pablo Avenue, both sides, from Virginia Street to Delaware Street.
San Pablo Avenue, both sides, from Delaware Street to Hearst Avenue.
San Pablo Avenue, both sides, from Allston Way to Channing Way.
San Pablo Avenue, east side, from Channing Way to Parker Street.
San Pablo Avenue, both sides, from Parker Street to Heinz Street.
San Pablo Avenue, east side, from Russell Street to Burnett Street.
San Pablo Avenue, west side, from Bancroft Way to Ashby Avenue.
Scenic Avenue, east side, from Hearst Avenue to Ridge Road.
Shattuck Avenue, both sides, from 100 feet north of Rose Street to Hearst Street.
Shattuck Avenue, east side, from Rose Street to Vine Street.
Shattuck Avenue, east side, from Ward Street to Stuart Street.
Shattuck Avenue, west side, from 200 feet south of Ward Street to Stuart Street.
Shattuck Avenue, both sides, from Stuart Street to Oregon Street.
Shattuck Avenue, east side, from Oregon Street to Russell Street.
Shattuck Avenue, both sides, from Russell Street to Ashby Avenue.
Shattuck Avenue, west side, from Ward Street to Ashby Avenue.
Shattuck Place, west side, from Rose Street to Shattuck Avenue.
Solano Avenue, both sides, from Tulare Avenue to The Alameda.
Solano Avenue, north side, from 140 feet to 184 feet east of The Alameda.
South Hospital Drive, south side, from Colby Street to 75 feet west of Colby Street.
Stuart Street, south side, from 50 feet east of Telegraph Avenue to Telegraph Avenue.
Stuart Street, north side, from Adeline Street to 70 feet east of Shattuck Avenue.
Tacoma Avenue, both sides, from Solano Avenue to 66 feet north of Solano Avenue.
Telegraph Avenue, west side, from Dwight Way to Prince Street.
Telegraph Avenue, east side, from Dwight Way to Woolsey Street.
The Alameda, east side, from Los Angeles Avenue to Solano Avenue.
Tenth Street, both sides, from Gilman Street to Camelia Street.
The Alameda, west side, from 220 feet north of Los Angeles Avenue to 90 feet north of Solano Avenue.
Tulare Avenue, east side, from 90 feet south of Solano Avenue to Solano Avenue.
University Avenue, both sides, from McGee Avenue to Third Street.
Vine Street, north side, from 75 feet east of Walnut Street to 100 feet east of Henry Street.
Vine Street, south side, from 100 feet east of Henry Street to 150 feet east of Walnut Street.
Virginia Street, north side, from 150 feet east of Shattuck Avenue to 150 feet west of Shattuck Avenue.
Virginia Street, south side, from Shattuck Avenue to 125 feet west of Shattuck Avenue.
Walnut Street, both sides, from University Avenue to Berkeley Way.
Walnut Street, west side, from Rose Street to 200 feet south of Vine Street.
Walnut Street, east side, from 75 feet north of Vine Street to 125 feet south of Vine Street.
Ward Street, north side from Milvia Street to 300 feet east of Milvia Street.
Webster Street, north side, from Bateman Street to Regent Street.

Webster Street, north side, from Colby Street to 150 feet west of Telegraph Avenue.
Webster Street, south side, from Colby Street to 100 feet west of Telegraph Avenue.
Fifth Street, both sides, from Addison Street to Hearst Avenue.
Fifth Street, west side, from Hearst Street to Virginia Street.
Fourth Street, east side, from Addison Street to Virginia Street.
Fourth Street, west side, from Addison Street to Cedar Street.
Sixth Street, east side, Addison Street to University Avenue.
Seventh Street, east side, from University Avenue to 150 feet south of University Avenue.
Eighth Street, west side, from 100 feet north of University Avenue to 200 feet south of University Avenue.
Ninth Street, west side, from 75 feet north of University Avenue to 150 feet south of University Avenue.
Ninth Street, east side from Gilman Street to 300 feet north of Gilman Street.
Tenth Street, east side, from 100 feet north of University Avenue to 100 feet south of University Avenue.
Tenth Street, west side from Gilman Street to 300 feet north of Gilman Street.

B. goBerkeley Program parking meter zones are those streets or portions of streets in the City located within the goBerkeley Areas hereinafter described as zones within which the parking of motor vehicles shall be controlled, regulated and inspected with the aid of parking meters, pay-and-display stations, and/or a City-approved software application that processes pay-by-phone payments from a mobile phone at fees set in 14.52.120(B):

Addison Street, north side, from Martin Luther King Jr. Way to 170 feet west of Martin Luther King Jr. Way.
Allston Way, both sides, from Harold Way to Shattuck Avenue.
Allston way, south side, from Oxford Street to Martin Luther King Jr. Way.
Ashby Avenue, north side, from College Avenue to Benvenue Avenue.
Ashby Avenue, south side, from Benvenue Avenue to Elmwood Avenue.
Ashby Place, east side, from Ashby Avenue to a point 80 feet north of Ashby Avenue.
Bancroft Way, both sides, from Piedmont Avenue to Fulton Street.
Bancroft Way, both sides, from Fulton Street to Milvia Street.
Benvenue Avenue, west side, from Ashby Avenue to 100 feet south of Ashby Avenue.
Berkeley Way, south side, from Oxford Street to 385 feet west of Shattuck Avenue.
Berkeley Way, north side, from Oxford Street to Henry Street.
Blake Street, south side, from 80 feet west of Shattuck Avenue to Shattuck Avenue.
Bonita Avenue, east side, from University Avenue to Berkeley Way.
Bowditch Street, east side, from Bancroft Way to Dwight Way.
Center Street, north side, from Oxford Street to Martin Luther King Jr. Way.
Center Street, south side, from Oxford Street to Martin Luther King Jr. Way.
Channing Way, north side, from 200 feet west of Dana Street to College Avenue.
Channing Way, north side, beginning 250 feet west of Shattuck Avenue to Shattuck Avenue.
College Avenue, east side, from 75 feet south of Webster Street to 175 feet north of Russell Street.
College Avenue, west side, from 140 feet north of Russell Street to Webster Street.

College Avenue, east side, from Bancroft Way to 200 feet south of Dwight Way.
College Avenue, west side, from Bancroft Way to Dwight Way.
Dana Street, west side, between Bancroft Way and Channing Way.
Dana Street, west side, from Haste Street to 150 feet south of Haste Street.
Durant Avenue, north side, from Ellsworth Street to College Avenue.
Durant Avenue, south side, from Ellsworth Street to College Avenue.
Durant Avenue, both sides, from Milvia Street to Fulton Street.
Dwight Way, both sides, from Milvia Street to Fulton Street.
Dwight Way, south side, from Hillegass Avenue to Benvenue Street.
Dwight Way, north side, from 300 feet east of Dana Street to 300 feet east of Telegraph Avenue.
Dwight Way, south side, beginning 325 feet west of Telegraph Avenue and extending 125 feet east of Regent Street.
Dwight Way, north side, from Bowditch Street to College Avenue.
Grant Street, both sides, from 100 feet north of University Avenue to 100 feet south of University Avenue.
Fulton Street, both sides, from Bancroft Way to Kittredge Street.
Fulton Street, west side, beginning at Durant Avenue and extending south for 80 feet.
Fulton Street, east side, from Bancroft Way to Durant Avenue.
Harold way, both sides, from Allston Way to Kittredge Street
Haste Street, both sides, from Milvia Street to 250 feet east of Shattuck Avenue.
Haste Street, north side, from College Avenue to Dana Street.
Haste Street, south side, beginning 350 feet west of Telegraph Avenue to 300 feet east of Telegraph Avenue.
Haste Street, south side, from Bowditch Street to College Avenue.
Hearst Avenue, north side, from Oxford Street to Shattuck Avenue.
Hearst Avenue, south side, from Shattuck Avenue to Oxford Street
Kittredge Street, both sides, from Shattuck Avenue to Oxford Street.
Martin Luther King Jr. Way, both sides, from Center Street to Addison Street.
Milvia Street, both sides, from Berkeley Way to Addison Street.
Oxford Street, west side, from Hearst Avenue to University Avenue.
Russell Street, north side, from 85 feet east of College Avenue to 175 feet west of College Avenue.
Russell Street, south side, from 200 feet west of College Avenue to 120 feet east of College Avenue.
Shattuck Avenue, both sides, from Hearst Street to University Avenue.
Shattuck Avenue, both sides, of the west roadway, from University Avenue to Addison Street (Shattuck Square).
Shattuck Avenue, both sides, of the east roadway, from University Avenue to Addison Street (Shattuck Square).
Shattuck Avenue, both sides, of the west roadway, from Addison Street to Center Street (Berkeley Square).
Shattuck Avenue, both sides, of the east roadway, from Addison Street to Center Street (Berkeley Square).
University Avenue, both sides, from Oxford Street to McGee Avenue.

Webster Street, north side, from 125 feet east of College Avenue to 100 feet west of College Avenue.

Webster Street, south side, from 100 feet west of College Avenue to 125 feet east of College Avenue.

Addison Street, both sides, from Milvia Street to Oxford Street.

Allston Way, both sides, from MLK Jr. Way to Oxford Street.

Berkeley Square, both sides, from Addison Street to Center Street.

Center Street, both sides, from MLK Jr. Way to Oxford Street.

Harold Way, both sides, from Allston Way to Kittredge Street.

Kittredge Street, both sides, from Milvia Street to Shattuck Avenue.

Milvia Street, east side, from Kittredge Street to Center Street.

Milvia Street, both sides, from Center Street to Addison Street.

MLK Jr. Way, both sides, from Center Street to Allston Way.

Oxford Street, both sides, from University Avenue to Kittredge Street.

Oxford Street, east side, from Hearst Street to University Avenue.

Parker Street, both sides, from 100 feet west of Shattuck Avenue to Shattuck Avenue.

Parker Street, north side, from 100 feet east of Shattuck Avenue to Shattuck Avenue.

Shattuck Avenue, both sides, from Center Street to Carleton Street.

Telegraph Avenue, both sides, from Dwight Way to Bancroft Way.

C. The City Traffic Engineer shall cause parking meters and pay-and-display stations to be installed and maintained in all parking meter zones and goBerkeley Program parking meter zones.

Section 2. That Berkeley Municipal Code Section 14.72.030 amended to read as follows:

14.72.030 Definitions.

A. "Designated residential parking permit area" means any contiguous area upon which the Council imposes parking limitations pursuant to the authority granted by this chapter.

B. "Mixed use" means the use of a lot or building with two or more different land uses including, but not limited to, residential, commercial, retail, office or manufacturing, in a single structure or a group of physically integrated structures; in a neighborhood context, it means blocks containing single-use residences interspersed with other land uses, such as commercial or industrial.

C. "Mixed Use-Residential" refers to the zoning designation so defined in Berkeley Municipal Code Chapter 23E.84.

D. "Assessor's Use Code" means the code used by the Alameda County Assessor to assess property for property tax purposes. These codes cover a range of building descriptions and uses, including a variety of residential uses.

E. "Nonresidential vehicle" means a motor vehicle not eligible to be issued a residential parking permit, pursuant to the terms and conditions of this chapter, for the specific area in which it is parked. However, it could be eligible for a local business parking permit, or any other parking permit the council shall designate.

F. "Residential parking permit" means a permit issued under this chapter which, when displayed upon a vehicle, as described herein, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.

G. "Local business parking permit" means a permit issued under this chapter which, when displayed upon a motor vehicle, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.

H. "Trapped resident" means: 1) any resident whose dwelling is on a block that may not legally opt-in because less than 80% of the block fronts are residentially zoned and either: a) whose address is on a block front adjacent to and/or surrounded by block fronts that are already included in the RPP program; or b) whose address is within the general boundary of a designated RPP area; or 2) any resident whose dwelling abuts controlled curb parking and either: a) whose address is on a block front adjacent to and/or surrounded by RPP areas; or b) whose address is within the general boundary of a designated RPP area.

I. "Neighborhood-service community facility" means churches, schools and senior centers located wholly within the general boundary of an RPP designated area.

J. "Neighborhood-serving business and establishment" means any business or establishment located in a neighborhood commercial district as defined in the Zoning Ordinance Section Cla, Clb, Clc, Clb(E).

K. "One-day visitor permit" means a parking permit issued pursuant to this chapter or an ordinance enacted pursuant to authority granted herein, which shall exempt the vehicle from parking time restrictions pursuant to this chapter, for the date indicated upon the face of said permit.

L. "Two-week visitor permit" shall mean a parking permit issued pursuant to this chapter or an ordinance enacted pursuant to authority granted herein, which shall exempt the vehicle from parking time restrictions established pursuant to this chapter for a period of 14 consecutive calendar days, beginning upon the date indicated upon the face of said permit.

M. "Motor vehicle" shall be an automobile, truck, motorcycle or other self-propelled form of transportation not in excess of 8,000 pounds gross weight and not in excess of 20 feet in length. A trailer, trailer coach, utility trailer, motor home/(RV), or any other type of vehicle as defined in the California Vehicle Code that is not self-propelled, is not eligible for a RPP permit.

N. "Controlled curb parking" means any on-street parking with existing parking limitations, such as meters, time restrictions, red zone, etc.

O. "Schools" shall mean any school or other place of learning providing a pre-school, elementary or secondary level of study, and which regularly employs a staff of at least 15 certificated persons regularly employed as a classroom teacher.

P. "Senior centers" means the three senior centers affiliated with the City: North Berkeley Senior Center, South Berkeley Senior Center and the West Berkeley Senior Center.

Section 3. That Berkeley Municipal Code Section 14.72.050 amended to read as follows:

14.72.050 Designation of a residential permit parking area.

A. There shall be two alternative processes by which City Council could consider any area for designation as a residential permit parking area:

1. Residents petition. The City Council shall consider for designation as a residential permit parking area any proposed area for which a petition has been submitted which meets and satisfies the following requirements:
 - a. Prior to obtaining signatures, neighborhood organizers shall consult with City staff to assure that the proposed area meets guidelines set in the administrative regulations for the establishment of permit parking boundaries.
 - b. The petition shall contain a description or a map showing the proposed residential permit parking area.
 - c. Said description or map shall be followed in the petition by a statement describing the residential permit parking program and the current residential permit fees.
 - d. The statement shall be followed by a signature, printed name, address, and date of signing of the application by a number of adult residents including at least 51% of the housing units within the area.
 - e. For applicants in areas zoned Mixed-Use Residential, a petition shall only be deemed valid if at least 51% of the housing units on each block face have an address that has a residential Assessor's Use Code.
 - f. All petitions shall be the same as the standard petition form developed by City staff. Any petition form different from the standard petition form shall be deemed invalid for the purposes of this chapter.
 - g. In the proposed residential permit parking area at least 80% of the block fronts with unlimited on-street parking must be residentially zoned, and at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.
 - h. In areas zoned Mixed-Use Residential, at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.
2. City Council initiation. City Council shall consider for designation as a residential permit parking area any area for which the following requirements have been met:
 - a. City Council shall initiate the area as a residential permit parking area.
 - b. For areas zoned Mixed Use-Residential, Council shall only initiate the area as a residential permit parking area if at least 51% of the housing units on each block face have an address that has a residential Assessor's Use Code.
 - c. In the proposed residential permit parking area at least 80% of the block fronts with unlimited on-street parking must be residentially zoned, and at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m. or unlimited on-street parking is projected to be impacted by parking spillover from a more congested residential permit parking area.
 - d. In areas zoned Mixed Use-Residential, at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.
 - e. A notice of intent to establish permit parking shall be sent to all addresses within the proposed residential parking permit area.

B. Upon receipt by the City Council of a petition as described in subsection A.1 of this section, or after Council has initiated a residential permit parking area as described in subsection A.2 of this section, the Council shall:

1. Undertake or cause to be undertaken such surveys or studies which it deems necessary.
2. Cause to be drafted a resolution which would establish a residential permit parking area based upon the aforementioned proposal and studies, including all regulations and time restrictions determined by the Council to be reasonable and necessary in such area.

C. The Council shall thereafter conduct a public hearing on said draft resolution. Notice of the hearing shall be posted at least ten days prior to the hearing on all block fronts proposed to be included in the residential permit parking area. Following the hearing, the City Council may enact, amend or reject said draft resolution in any manner, including but not limited to, modification of boundaries of the proposed area and the restrictions imposed on such proposed area. In order to grant permit parking designation, Council shall find that the designation will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing in the area of designation. In reaching this decision consideration shall be given to the residents' support for residential permit parking, the existing parking conditions, the expected effectiveness of residential permit parking in improving parking conditions, and the location and size of the residential permit parking area.

Section 4. That Berkeley Municipal Code Section 14.72.090 amended to read as follows:

14.72.090 Residential parking permit.

A. The City Manager and/or his/her designee shall issue residential parking permits with a term not to exceed of one year to motor vehicles which comply with the requirements set forth in this section.

1. No more than three (3) permits may be purchased for each residential address. Applicants may request a waiver if additional permits are needed.
2. In areas zoned Mixed Use-Residential (MU-R), no more than two (2) permits may be purchased for each residential address. Applicants may request a waiver if additional permits are needed.
3. The City Traffic Engineer is authorized to issue such rules and regulations necessary to grant waivers to the annual permit limits.

B. A residential parking permit may be issued for a motor vehicle only upon application of the following person:

1. The applicant must demonstrate that he or she is currently a resident of the area for which the permit is to be issued; and
2. The applicant must demonstrate that he or she has ownership or continuing custody of the motor vehicle for which the permit is to be issued; and
3. Any motor vehicle to be issued a permit must have a vehicle registration indicating registration within the area for which the permit is to be issued.

C. A residential parking permit may in addition be issued for any vehicle in the area regularly utilized by a person who owns or leases commercial property and actively engages in business activity within the particular residential permit parking area. However, no more than one parking permit, or any greater number which the City Council may determine appropriate for the particular residential permit parking involved area, may be issued for each business establishment for a motor vehicle registered to or under the control of such a person.

D. A residential parking permit may be issued for any vehicle utilized in the area by a nonresidential nonbusiness enterprise, such as a church, school, or hospital, located wholly or partially within the particular residential permit parking area. However, no more than one parking permit, or any greater number which the City Council may determine appropriate for the particular permit parking area involved, may be issued for each such enterprise within each permit area for a motor vehicle registered to or under the control of such an enterprise.

E. Any person to whom a residential parking permit has been issued pursuant to this section shall be deemed a permit holder.

Section 5. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on February 13, 2018, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Davila, Droste, Hahn, Harrison, Maio, Wengraf, Worthington and Arreguin.

Noes: None.

Absent: None.

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

FEES: RESIDENTIAL PREFERENTIAL PARKING PERMITS

WHEREAS, on December 16, 2014, Council adopted Resolution No. 66,895-N.S., establishing a revised fee schedule for parking permits for annual residential preferential parking; 1-Day Visitors, 2-Week Visitors, and annual in-home care, annual community-serving facility, annual merchant, 1-Day Senior Center, Semi-annual residential, and Semi-annual in-home care permits issued for the Residential Preferential Parking (RPP) Program, and rescinded Resolution No. 66,075-N.S.; and

WHEREAS, the current RPP Program is operating at an annual deficit of at least \$195,800; and

WHEREAS, it is necessary to increase RPP permit fees in order to operate the RPP Program as a cost-neutral program in accordance with Council Budget Policies.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following fees for the RPP Program are hereby established:

Permit Type	Permit Fees
Annual Residential & In-Home Care	\$66.00
Semi-Annual Residential & In-Home Care	\$33.00
1-Day Visitor	\$3.00
14-Day Visitor	\$34.00
Community-Serving Facility	\$83.00
Merchant	\$185.00
1-Day Senior Center	\$1.00
Replacement Fee for Annual, 14-Day, Community-Serving Facility, & Merchant Permits	\$15.00
Surcharge Per Additional Annual Residential Permit Over Cap of Three (3), Only If Waiver is Approved	\$100.00

BE IT FURTHER RESOLVED that these fees shall be effective March 1, 2018 for FY 2019 permit purchases and shall be deposited into the General Fund.

BE IT FURTHER RESOLVED that Resolution No. 66,895-N.S. is hereby rescinded effective March 1, 2018.

**NOTICE OF PUBLIC HEARING – BERKELEY CITY COUNCIL
CITY COUNCIL CHAMBERS, 2134 MARTIN LUTHER KING JR. WAY**

**FEES: RESIDENTIAL PREFERENTIAL PARKING PERMITS
TUESDAY, FEBRUARY 27, 2018 AT 6:00 P.M.**

Notice is hereby given by the City Council of the City of Berkeley that a public hearing will be conducted by said city council of the City of Berkeley at which time and place all persons may attend and be heard upon the following:

The Department of Public Works is proposing to increase the cost of annual Residential Preferential Parking (RPP) permits, effective March 1, 2018, for permits purchased for FY 2019, as summarized below:

Permit Type	Current Fee	Proposed Fee
Annual Residential & In-Home Care	\$55.00	\$66.00
Semi-Annual Residential & In-Home Care	\$27.50	\$33.00
1-Day Visitor	\$2.75	\$3.00
14-Day Visitor	\$28.25	\$34.00
Community-Serving Facility	\$69.00	\$83.00
Merchant	\$154.00	\$185.00
1-Day Senior Center	\$1.25	\$1.00
Replacement Fee for Annual, 14-Day, Community-Serving Facility, & Merchant Permits	\$12.50	\$15.00
Surcharge Per Additional Annual Residential Permit Over Cap of Three (3), Only If Waiver is Approved	N/A	\$100.00

The hearing will be held on February 27, 2018, at 6:00 p.m. in the City Council Chambers, 2134 Martin Luther King, Jr. Way.

A copy of the agenda material for this hearing will be available on the City's website at www.CityofBerkeley.info as of **February 15, 2018**.

For further information, please contact Farid Javandel, Transportation Division Manager, at (510) 981-7061.

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at 981-6418 (V) or 981-6347

(TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at 981-6900 or clerk@cityofberkeley.info for further information.

Published: February 16 and February 23, 2018 – The Berkeley Voice

Pursuant to Government Code Section 6062a

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way, as well as on the City's website, on February 15, 2018.

\_\_\_\_\_  
Mark Numainville, City Clerk



**City of Berkeley, Public Works Department, Transportation Division  
Responses to Council Questions at City of Berkeley Council Worksession,  
September 19, 2017**

The Mayor and other Councilmembers asked a number of specific questions of staff at the September 19, 2017 Worksession concerning the Residential Preferential Parking (RPP) Program. This document summarizes staff's responses to these questions.

**Question 1: How do we prioritize phasing in blocks? (Mayor Arreguin)**

*Answer: There are two ways blocks can opt-in, either by resident petition or City Council initiation. (BMC [14.72.050](#)) Resident petitions are addressed in the order they are received.*

**Question 2: Can we require residents to park one vehicle on their property? (Hahn)**

*Answer: Likely not, as streets are public property. We can, however, institute caps on the number of permits households can purchase. Neighboring cities have conducted parking inventory studies and indicated which parcels can accommodate off-street parking, and have subsequently reduced the caps to account for driveways, etc.*

**Question 3: Why do certain commercial areas not have meters? (Wengraf)**

*Answer: Parking meters may not be appropriate for all commercial areas, particularly if parking is generally available even at peak times. Due to a combination of historic pushback from businesses, as well as limited staff and materials resources, staff have typically waited for businesses or business districts to request the installation of meters to increase (or maintain) customer parking availability.*

**Question 4: How would you assess [whether visitors have paid to park in RPP areas, under a program wherein non-permitholders are required to pay]? (Maio)**

*Answer: One suggested methodology would be to require payment if a valid RPP permit is not displayed. Pay by phone technology will make it easy to pay to park without meters at every space, and pay stations can be installed at the ends of blocks to ensure those without smartphones can pay as well.*

**Question 5: How do you guarantee enforcement? (Davila)**

*Answer: Public Works/Transportation cannot guarantee enforcement alone. The Parking Enforcement Unit is overseen by the Berkeley Police Department. However, a service level agreement could help to ensure certain levels of enforcement activity are spent on RPP areas.*

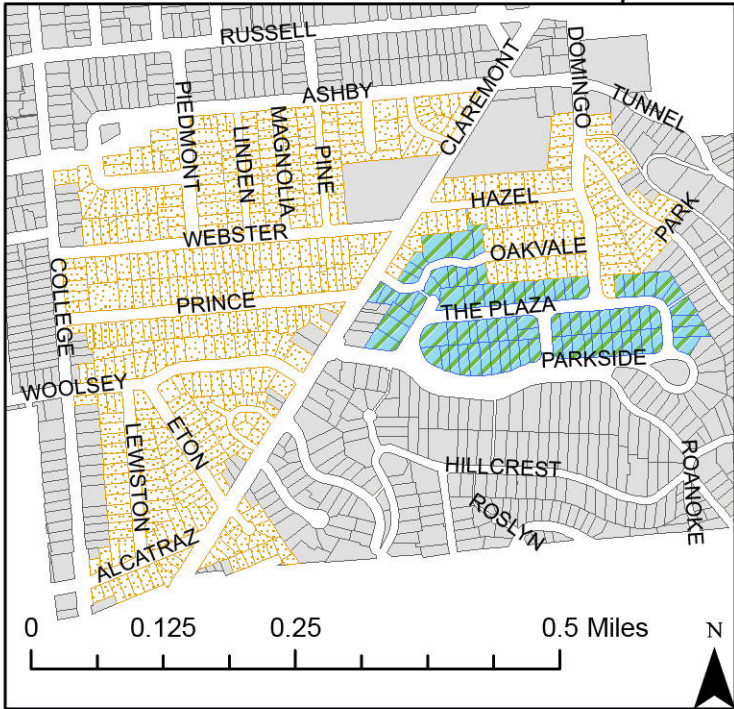
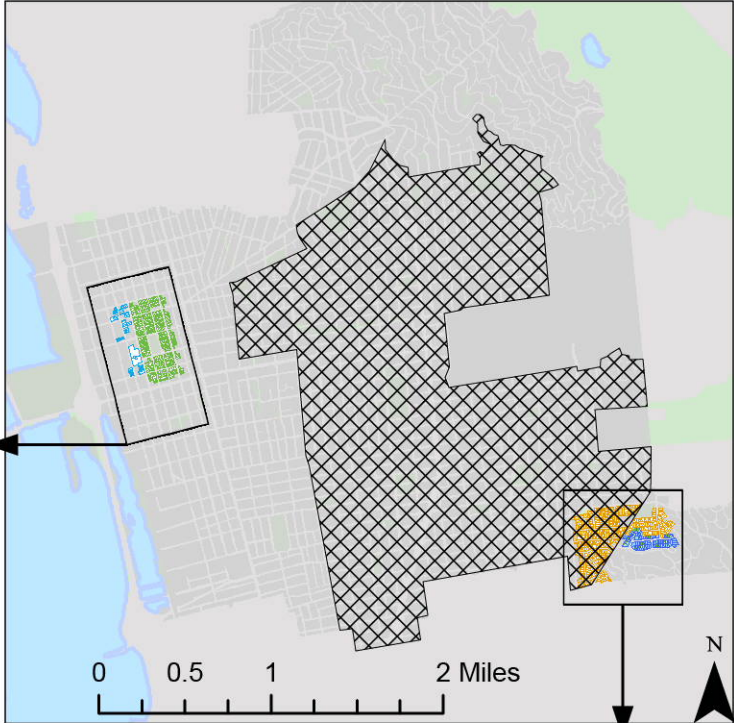
**Question 6: How do you opt-out of the RPP program? (Davila)**

*Answer: By petition. A minimum of 51% of the housing units must sign the petition to exclude their block from residential permit parking designation. (BMC [14.72.060](#))*






**Question 7: Is there a breakdown between revenue from permit purchases and revenue from enforcement? (Wengraf)**

*Answer: Yes. Gross RPP permit revenue for FY 2017 was approximately \$1m. Gross Parking Citation revenue collected for RPP citations during FY 2017 totaled approximately \$1.3m.*





# ATTACHMENT 5: MAP OF TARGETED EXPANSION AREAS

-  Existing RPP Area Boundary
-  Proposed Mixed Use Eligible
-  Proposed New Area Eligible
-  Currently Opted into Area L
-  Proposed Eligible to Opt In

This map is for reference purposes only.  
Care was taken in the creation of this map, but it is provided "AS IS". Please contact the City of Berkeley to verify map information or to report any errors.  
January 17, 2018





Office of the City Manager

WORKSESSION  
September 19, 2017

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Phillip L. Harrington, Director, Department of Public Works

Subject: Residential Preferential Parking (RPP) Program Recommendations

### INTRODUCTION

This worksession shall discuss the origins of the Residential Preferential Parking (RPP) Program including related City policies; challenges facing the current RPP Program; recommendations for improving Program operation in the existing 14 RPP areas, and applying those improvements to new RPP areas as the Program expands.

### CURRENT SITUATION AND ITS EFFECTS

At the May 31, 2016 Work Session,<sup>1</sup> staff presented an update to City Council on the feasibility of expanding the RPP Program citywide. As a follow-up, staff conducted a comprehensive FY 2016 analysis of the City's RPP Program. That analysis reviewed the Program's fiscal solvency, considered its efficacy in meeting City policy goals (summarized in Attachment 1), and identified several existing challenges:

1. The RPP Program operates at a deficit. In FY 2016, the Program accrued an operational deficit of \$290,354, meaning the General Fund effectively subsidizes 11% of the Program. This does not satisfy Council-adopted fiscal policies, which call for "developing long-term strategies to reduce unfunded liabilities," and if the RPP Program is to be expanded, "requiring...new programs to pay for themselves."<sup>2</sup>
2. There are no limits on annual permit purchases, meaning residents may purchase as many permits as they want. Berkeley is an outlier as most cities with residential permit programs, including San Francisco and Oakland, have a cap on the number of annual permits available per year to discourage individual overuse of shared on-street parking resources.<sup>3</sup>
3. The two-hour time limit for non-permit holders results in adverse impacts within neighborhoods. Anecdotal evidence from merchants and residents

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<sup>1</sup>May 31, 2016 Council Work Session: *Citywide Residential Preferential Parking Expansion* at <http://bit.ly/2k6uGkG>

<sup>2</sup>City of Berkeley Budget Office: Council Budget Policies: <http://bit.ly/2k5n2b7>

<sup>3</sup>A summary of policies guiding permit maximums in San Francisco, Oakland, and Walnut Creek is provided as Attachment 2.

- indicates that the current two-hour time limit leads to the “two-hour shuffle,” as nonresidents (e.g., employees of nearby commercial districts) move their cars every two hours to avoid the risk of a citation. This behavior causes increased congestion, noise, and greenhouse gas emissions.
4. The RPP Program may not fully reflect new transportation options, current resident needs, or Council priorities and goals. Berkeley has changed in the nearly 40 years since the RPP Program was first implemented, and a larger conversation about the goals and strategies of the RPP Program is needed to ensure it continues to effectively and equitably address the City’s needs.
  5. Football game day parking poses a unique, infrequent but perennial challenge in certain RPP areas. At the July 25, 2017 Council Meeting, staff presented a recommendation from the Transportation Commission summarizing current problems with non-resident parking in RPP areas surrounding the University of California-Berkeley (UC Berkeley) campus on football game days. Staff recommended new resident-only permit restrictions, and a \$300 fine for others parking in RPP areas during these events.<sup>4</sup> While a more robust strategy is needed to address this issue, the specific nature of this problem calls for a targeted strategy independent of the RPP Program at large (i.e., football games occur six days per year, while the RPP Program is in effect 313 days per year).

## BACKGROUND

The RPP Program was instituted in 1980 (1) to protect Berkeley residential neighborhoods from an influx of non-resident vehicles and related traffic (2) to assure continued quality of life for residents, and (3) to provide neighborhood parking for residents. The Program limits parking for vehicles not displaying an RPP permit in most RPP areas to two hours, and reserves available daytime parking for residents, between 9:00a.m. and 7:00p.m. Monday through Friday, and on some blocks Saturday.

There are currently fourteen RPP zones (Zones A-N) that cover central Berkeley and lie largely adjacent to commercial areas and/or the UC Berkeley campus. Eligible streets are added to the RPP Program when residents on an eligible block submit a qualifying number of signatures exceeding 51% on petitions to “opt-in” to the RPP Program, and a parking survey shows at least 75% of available on-street parking spaces of the subject blocks are occupied during mid-morning and mid-afternoon.

In March 2014,<sup>5</sup> Council asked staff to evaluate the costs and benefits of allowing the RPP Program to expand beyond its current geographic boundaries. Staff has

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<sup>4</sup>July 25, 2017 *City Council Agenda: Referral Response: Reassess UC Berkeley Game Day Parking Fines in RPP Areas A, B, D, F, and G Surrounding Campus* at <http://bit.ly/2fwXaEj>

<sup>5</sup>March 11, 2014 *City Council Agenda: Expansion of Permit Parking to Impacted Areas* <http://bit.ly/2vTgnqD>



periodically returned to Council since then to solicit feedback on expanding the Program.

#### ENVIRONMENTAL SUSTAINABILITY

Expansion of the RPP Program may encourage some drivers who work in commercial areas adjacent to proposed RPP areas to consider using other modes of travel, thereby potentially reducing parking demand and congestion. However, based upon feedback from merchants adjacent to existing RPP Program areas, staff anticipate the “two-hour shuffle” may also begin to occur in RPP expansion areas. This behavior would have an adverse impact on traffic congestion, air quality, and excess fuel consumption. Implementing limits on the number of available permits, and progressive rates for purchasing more than one permit, may also encourage residents to consider alternatives to driving and parking for trips within the City.

#### POSSIBLE FUTURE ACTION

Staff recommends three tiers of adjustments to the RPP Program that would be implemented over the next several years:

##### Short-Term Recommendations (FY 2018): Strengthen Existing RPP Program

- **Increase permit costs to eliminate the Program deficit.** Cost neutrality is achievable by increasing all permit costs by 31%, with the annual residential permit increasing to \$72/year.
- **Implement a cap on the number of annual permits that can be purchased by a single address/household.** Staff recommends a maximum of three (3) permits, with a waiver available for special circumstances. Permit maximums could also be variable by RPP area depending on demand and available supply.
- **Implement progressive rates for multiple permits.** Under this model, residents would pay more for a second and third annual permit, with a similar model established for visitor permits.
- **Evaluate the feasibility of providing low-income permits while maintaining Program cost neutrality.**

##### *Develop Targeted Strategy for Game Day Parking in Campus-Adjacent RPP Areas*

- **Implement a “Special Event Permit” overlay in parts of RPP areas surrounding the UC Berkeley campus.** The Transportation Commission recommendation to solve game day parking issues represented a “stick” (i.e., largely punitive) approach to addressing resident concerns. By contrast, Staff recommend a “carrot” approach which would include increasing game day fines and offering a limited number of strategically priced game-time permits allowing visitors to park in residential areas near the stadium. Under this program, revenue from the visitor permits would help support the overall RPP Program, and non-residents needing to park in residential areas for non-game reasons (i.e., employees for a shift) would not be unduly penalized. Staff plan to collect data during upcoming games to better understand parking

availability constraints and recommend where to implement the special event overlay.

#### Mid-Term Recommendations (FY 2019): Strategically Expand RPP Program

- **Incrementally expand RPP Program “citywide,” increasing permit fees commensurately to maintain cost neutrality.** Staff recommend initially allowing either 50 or 125 new blocks to opt into the Program. Based on staff’s analysis, the annual permit price should be set at \$79/year for up to 50 new blocks, or \$87/year for up to 125 new blocks to maintain cost neutrality.
- **Consider a longer time limit for non-residents in some areas to reduce the frequency of the “two-hour shuffle.”**
- **Reassess the RPP Program’s fiscal solvency on a yearly basis.**

#### Long-Term Recommendations (FY 2018-2021): Reassess Overall RPP Program

- **Conduct a full assessment of the RPP Program.** In 2015, the San Francisco Municipal Transportation Agency launched a comprehensive review of its 40-year old Residential Parking Permit program.<sup>6</sup> Staff recommends a similar evaluation of our RPP Program, which would include setting new goals and metrics to track effectiveness. The upcoming Residential Shared Parking Pilot program may assist this process, modeling stakeholder outreach, goal setting, and new strategies in pilot RPP areas around the Elmwood and Southside.

#### FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Revenue supporting the RPP Program comes from permit sales and RPP-related parking citations. While staff assumes revenue increases with new Special Event Permits for football game days, and as the Program expands to new blocks, actual amounts of new permit purchases and citations are unknown, making future revenues difficult to forecast. Nevertheless, increasing permit fees to eliminate the ongoing operational deficit at existing and future geographic extents will result in a cost-neutral Program, allowing permit issuance and parking enforcement services to continue without depriving other City programs of needed General Fund support. Further evaluation of recommended policy adjustments will require an undetermined amount of staff time and resources.

#### CONTACT PERSON

Farid Javandel, Transportation Division Manager (510) 981-7061

Danette Perry, Parking Services Manager (510) 981-7057

Gordon Hansen, Senior Planner (510) 981-7064

#### Attachments:

1: Summary of Adopted City Policies Related to RPP

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<sup>6</sup>San Francisco Municipal Transportation Agency: Residential Parking Permit Evaluation & Reform Project  
<http://bit.ly/1OSUmw6>



2: Summary of Peer City Residential Parking Permit Policies

## City Policies Related to the Residential Preferential Parking (RPP) Program

This document summarizes adopted City plans and other policies that address the Residential Preferential Parking (RPP) Program, driving and parking behavior in Berkeley, and/or City fiscal policies. These plans/policies include:

1. Berkeley Municipal Code
2. City of Berkeley General Plan
3. Berkeley Climate Action Plan
4. Southside Plan
5. West Berkeley Circulation Master Plan: Transportation Demand Management (TDM) Plan Report
6. Council Budget Priorities

### 1. Berkeley Municipal Code

The Berkeley Municipal Code (BMC) sets forth the laws of the City of Berkeley. It is periodically modified by Council Ordinance.

Chapter 14.72 of the BMC outlines the premise, purpose, and methods of the RPP Program. Chapters 14.72, 14.76, and 14.80 provide specific guidance on RPP Areas A (Bateman), B (Willard), and C (Magna), respectively.

These BMC sections are too long to include in this summary in full, so only certain provisions are excerpted here. The full BMC is available here:

<http://www.codepublishing.com/CA/Berkeley/>

#### Section 14.72.010 Legislative Purpose.

This chapter is enacted in response to the serious adverse effects caused in certain areas and neighborhoods of Berkeley by motor vehicle congestion, particularly the long-term parking of motor vehicles on the streets of such areas and neighborhoods by nonresidents thereof. As set forth in more specific detail in Section 14.72.020, such long term parking by nonresidents threatens the health, safety and welfare of all of the residents of Berkeley. In order to protect and promote the integrity of these areas and neighborhoods, it is necessary to enact parking regulations restricting unlimited parking by nonresidents therein, while providing the opportunity for residents to park near their homes. Uniform parking regulations restricting residents and nonresidents alike would not serve the public interest, rather such regulations would contribute to neighborhood decline while ignoring the public transit alternatives to automobile travel available to nonresidents. For the reasons set forth in this chapter, a system of preferential resident parking is enacted hereby for the City of Berkeley (Ord. 5908-NS § 1, 1989; Ord. 5803-NS § 2, (part), 1987)

#### Section 14.72.020 Legislative Findings

A. General Finding. The City Council finds as a result of public testimony, evidence generated by both professional urban planning studies and derived from other sources, that the continued vitality of Berkeley depends on the preservation of safe, healthy and attractive neighborhoods and other residential areas therein. The Council further finds that one factor that has detracted from the safety, health and attractiveness of neighborhoods and other residential areas of the City is the excessive and burdensome



practice of nonresidents of certain areas and neighborhoods parking their motor vehicles for extended periods of time therein. Since there is in Berkeley at any one time a large surplus of motor vehicles over available on and off-street parking spaces, this condition detracts from a healthy and complete urban environment. A system of preferential resident parking will serve to reduce a number of strains on residents of the City and thus promote the general public welfare.

B. Specific Findings. The following specific legislative findings of the City Council in support of preferential resident parking are set forth as illustrations only and do not exhaust the subject of the factual basis supporting its adoption:

1. The safety, health, and welfare of the residents of Berkeley can be greatly enhanced by maintenance of the attractiveness and livability of its neighborhoods and other residential areas.
2. A large portion of Berkeley residents possess automobiles and, as a result, are daily faced with the need to store these automobiles in or near their residences.
3. Certain neighborhoods and areas of Berkeley do not have sufficient on or off-street space to accommodate the convenient parking of motor vehicles by residents thereof in the vicinity of their homes. To the extent that such facilities do exist, the program set forth herein is designed to encourage the maximum feasible utilization of off-street parking facilities.
4. Such areas as described above are often further burdened by influxes of motor vehicles owned by nonresidents which compete for the inadequate available on-street parking spaces.
5. There further exist certain parking "attractors" within Berkeley, such as hospital and university complexes, employment centers, BART stations, and locations convenient for commute parking, which further exacerbate resident parking problems.
6. Unnecessary vehicle miles, noise, pollution, and strains on interpersonal relationships caused by the conditions set forth herein work unacceptable hardships on residents of these neighborhoods and other residential areas by causing the deterioration of air quality, safety, tranquility, and other values available in an urban residential environment.
7. If allowed to continue unchecked, these adverse effects on the residents of Berkeley will contribute to a further decline of the living conditions therein, a reduction in the attractiveness of residing within Berkeley, and consequent injury to the general public welfare.
8. The system of residential permit parking as enacted by this chapter will serve to promote the safety, health and welfare of all the residents of Berkeley by (a) reducing unnecessary personal motor vehicle travel, noise, and pollution, and (b) promoting improvements in air quality, the convenience and attractiveness of urban residential living, and the increased use of public mass transit facilities available now and in the future. (Ord. 5908-NS § 1, 1989; Ord. 5803-NS § 2 (part), 1987)

Section 14.72.040 Permit Parking Exemption.

A. A motor vehicle on which is displayed a valid residential parking permit as provided for herein shall be permitted to stand or be parked in the residential permit parking areas for which the permit has been issued without being limited by time restrictions established pursuant to this chapter or any resolution thereunder. Additionally, a motor vehicle displaying a valid local business parking permit or a valid neighborhood-serving community facility permit as provided herein shall be permitted to stand or park in a designated residential permit parking area for which the permit has been issued without being limited by time restrictions established pursuant to this chapter. Any vehicle which does not display a valid parking permit shall be subject to the preferential parking regulation and consequent penalties in effect for such area.

B. A residential or local business parking permit or any other permit as designated by council shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential permit parking area.

C. This chapter shall not be interpreted or applied in a manner which shall abridge or alter regulations established by authority other than this chapter. (Ord. 5908-NS § 1, 1989; Ord. 5803-NS § 2, (part), 1987)

2. City of Berkeley General Plan: A Guide for Public Decision-Making (2001)

The Berkeley General Plan (Plan) is a comprehensive, long-range statement of community priorities and values developed to guide public decision-making. The Plan's goals, objectives, and policies serve as a guide for day-to-day decisions that are essential for responsive government. It was last updated in 2001. The following excerpts are from the "Transportation Element" of the General Plan, which establishes policies for the movement of people, goods, and vehicles through the City.

The full Plan is available here: <http://bit.ly/2uKUvZr>

The Transportation Element is available here: <http://bit.ly/2fx0v6l>

Policy T-10 Trip Reduction

To reduce automobile traffic and congestion and increase transit use and alternative modes in Berkeley, support, and when appropriate require, programs to encourage Berkeley citizens and commuters to reduce automobile trips, such as:

6. "Car-sharing" programs.

8. Programs to encourage neighborhood-level initiatives to reduce traffic by encouraging residents to combine trips, carpool, telecommute, reduce the number of cars owned, shop locally, and use alternative modes.

9. Programs to reward Berkeley citizens and neighborhoods that can document reduced car use.



Policy T-12 Education and Enforcement

Support, and when possible require, education and enforcement programs to encourage carpooling and alternatives to single-occupant automobile use, reduce speeding, and increase pedestrian, bicyclist, and automobile safety.

Actions:

A. Consider developing a program that rewards households, block groups, or neighborhood organizations that can document their reduction in automobile use. Consider discounts on electric bicycles to reward automobile use reduction.

Policy T-13 Major Public Institutions

Work with other agencies and institutions, such as the University of California, the Berkeley Unified School District, Lawrence Berkeley Laboratory, Vista Community College, the Alameda County Court, and neighboring cities to promote Eco-Pass and to pursue other efforts to reduce automobile trips. (Also see Land Use Policy LU-39.)

Actions:

F. Continue limiting the number of residential parking permits given to BUSD faculty and staff.

Policy T-31 Residential Parking

Regulate use of on-street parking in residential areas to minimize parking impacts on neighborhoods. (Also see Land Use Policy LU-10.)

Actions:

A. Improve enforcement of the Residential Preferential Parking Program.

B. Restrict Residential Parking Permits to residents of the district and further limit the number of guest passes that can be issued to a single address.

C. Correct abuses of 14-day and 1-day Residential Preferential Parking visitor permits.

D. Do not issue parking permits to residents of new car-free housing developments or to residents of projects which have been granted variances to reduce required off-street parking.

E. Discourage use of on-street parking for long-term storage of cars.

F. Enforce regulations against parking on lawns and sidewalks.

G. Ensure provision of adequate off-street parking for new projects in low-density residential areas.

H. Add information on transit alternatives on parking tickets.

I. Allow the expansion of RPP areas if it is found that additional residential streets are being used for employee and other commercial parking or vehicle storage.

J. Revise the RPP program to further restrict the number of permits issued to institutional users and set clear standards for issuance of RPP permits to institutions that include requirements for on-site transportation demand management programs and transportation alternatives.

#### Policy T-40 Parking Impacts

When considering parking impacts under the California Environmental Quality Act for residential projects with more than two units located in the Avenue Commercial, Downtown, or High Density Residential land use classifications, any significant parking impacts identified that result from the project should be mitigated by improving alternatives to automobile travel and thereby reducing the need for parking. Examples include improvements to public transportation, pedestrian access, car sharing programs, and bicycle facility improvements. Parking impacts for these projects should not be mitigated through the provision of additional parking on the site. The City finds that:

1. Parking supply and demand may easily be adjusted by changing local pricing policies and by changing how the supply is managed.
2. As the parking supply increases or parking costs decrease, automobile use becomes a more attractive transportation alternative and demand for parking increases. As parking supply decreases and its price increases, demand decreases.
3. Increasing the parking supply increases automobile use, which causes a measurably negative impact on the environment.

### **3. Berkeley Climate Action Plan (2009)**

In 2006, Berkeley voters approved ballot Measure G, which set forth a mandate to reduce the city's greenhouse gas emissions by 80% below 2000 levels by 2050. The Berkeley Climate Action Plan was written through a community-wide process and was adopted by City Council on June 2, 2009. The community's target for the year 2020 is to reduce community-wide GHG emissions 33% (below 2000 levels).

#### Chapter 3: Sustainable Transportation & Land Use: Pricing Strategies

As well as encouraging residents to choose an alternative to the car, it is important that those who choose or need to drive a car pay the full costs, including environmental costs, of doing so. This is especially true for individuals who drive alone. Examples of how these costs may be addressed in Berkeley include:

- Expanding parking pricing (e.g., meters and/or permit zones) to certain areas where parking is currently free
- Implementing a parking fee that would make it more expensive for individuals to own multiple cars



- Increasing parking costs associated with existing on- and off-street parking facilities

As well as serving as a disincentive to driving, such fees also serve to build revenue that can be used to provide enhanced, more sustainable mobility options in Berkeley and in the region. Action must be taken to ensure that any additional fees do not negatively affect low-income households. On the contrary, fees should be structured and employed to improve access to a range of transportation modes. (pp. 19-20)

### Chapter 3: Sustainable Transportation & Land Use: Goal #3: Manage Parking More Effectively to Minimize Driving Demand and to Encourage and Support Alternatives to Driving

a. Policy: Design and implement parking strategies to create disincentives for driving – especially for single-occupancy commuting – and, where possible, to build revenue for transportation services.

#### Implementing Actions

- Identify areas in Berkeley in which increased parking rates would effectively discourage driving and generate new revenue while not having a significant negative effect on local businesses. Such neighborhoods should be well served by alternative transportation options.
- Identify areas in Berkeley in which extending parking meter hours of enforcement would effectively discourage driving and build new revenue while not having a significant negative effect on local businesses.
- Evaluate the feasibility and efficacy of redesigning the Residential Preferential Parking (RPP) Program so as to apply it citywide (in every neighborhood) and utilize the revenue to design programs and infrastructure that make alternative transportation options more accessible, convenient, and attractive.
- Structure RPP permit costs so that each additional permit acquired by a given household escalates in cost.
- Consider setting RPP permit prices based on the fuel efficiency of the vehicle for which the permit is being acquired.
- Install RPP permit holder-exempt parking meters in some RPP zones. (pp. 35-36)

#### 4. Southside Plan (2001/2011)

Strategic Statement: Overarching goal #2: Reduce the number of trips to, from, and through the Southside made in single occupant automobiles (p. 67)

Policy T-E3: Rigorously enforce the Residential Preferential Parking Program. Make changes to the visitor/guest permits to eliminate abuses of 14-day and 1-day visitor/guest permits. Consider increasing the cost of these temporary permits; placing a limit on the number that can be purchased at one time and over the course of a year; replacing 14-day permits with 7-day permits; and/or making them more difficult to counterfeit. (p.95)

## 5. West Berkeley Circulation Master Plan: Transportation Demand Management (TDM) Plan Report (2009)

### Program Integration Goals

**Development of a Parking Strategy that Makes Transit User Costs Lower than Single Occupancy Vehicle Parking Costs.** Parking is perhaps the most critical “background condition” within the TDM modeling that significantly increases the effectiveness of many individual TDM measures. It is recommended that the City take on a proactive monitoring effort to target areas where parking management is necessary and work with local residents, business owners and stakeholders to identify strategies that make the cost of driving and/or parking more expensive than the transit alternative. Different strategies should be developed for the different user groups and types of new development in the area. For residents, this plan should consider a residential parking permit (RPP) zone to preserve existing parking for West Berkeley residents and enforced meters or time-restrictions to manage auto trips made by employees or visitors. While on-street pricing may be used to effectively discourage employee travel to West Berkeley, its implementation should balance the needs of all users in West Berkeley to ensure retail uses are not negatively impacted.

## 6. Council Budget Policies

The City Council has established budget policies which guide the development of the City’s budget. These policies have been established to help manage financial pressures to address growing demands upon City resources, while preserving long-term fiscal stability.

The fiscal policies adopted by the Council include:

- Focusing on the long-term fiscal health of the City by adopting a two-year budget and conducting multi-year planning;
- Building a prudent reserve;
- Developing long-term strategies to reduce unfunded liabilities;
- Controlling labor costs while minimizing layoffs;
- Allocating one-time revenue for one-time expenses;
- Requiring enterprise and grant funds to balance and new programs to pay for themselves;
- Any new expenditure requires revenue or expenditure reductions; and
- New policy: no new capital projects until current program is funded.



## Summary of Peer City Residential Parking Permit Policies

Oakland, San Francisco, and Walnut Creek all have Residential Parking Permit programs. Each one of these cities also has rules limiting the maximum number of permits that residents may purchase. This document summarizes these policies in comparison with Berkeley's current policies.

### City of Berkeley

- Annual Residential Permits (\$55):
  - The City currently imposes no caps on the number of annual RPP permits.
- Visitor Permits (\$2.75 for 1-Day, \$28.50 for 14-Day):
  - Residents may purchase up to 20 1-Day Visitor Permits in a permit year.
  - Residents may purchase three (3) 14-Day Visitor Permits in a permit year.
- Other Permits:
  - Annual In-Home Care Permit (\$55): If customers require 24-hour, in-home care services, they may purchase up to a maximum of three (3) In-Home Care Permits.
  - Annual Merchant Parking Permit (\$154): Businesses within a designated Merchant Permit address range may purchase one (1) Merchant Parking Permit annually.
  - Annual Neighborhood-Serving Community Facility Permit (\$69): The total number of permits issued must not exceed 60% of the enterprise's employees.
  - One-Day Senior Event Permit (\$1): The total number of permits issued must not exceed 60% of the senior event group's membership.

### City of Oakland

- Annual Residential Permits (\$82 all areas except Area M; Area M \$160): There are limits to the number of residential permits issued per address by RPP area:
  - Area F: One (1) permit
  - Areas A, B, C, D, E, G, I, J, K, and L: Three (3) permits
  - Area M: No limit
  - Area N: Two (2) permits
- Visitor Permits (\$5 for 1-day; \$50 for 2-week):
  - Residents may purchase up to five (5) 1-day and/or 2-week temporary permits on any calendar day.
- Merchant Permits (\$96 all areas except Area M):
  - Merchants receive one transferable hanging permit. The maximum number of merchants that can be issued per business license is either one (1) permit or two (2) stickers.

*Note: Some sections of some RPP areas in Oakland have first year "free" permits.*

## City of San Francisco

- Annual Permit for Residents (\$128 passenger vehicle, \$96 motorcycle):
  - A maximum of four (4) annual residential permits may be issued to a single address. In special circumstances, residents may request a waiver to this limit.
- Short-Term Permits: The City limits the number of visitor permits that can be purchased with a yearly maximum and a progressive rate structure:
  - One-Day Permits: Up to 20 one-day permits per address are available for purchase with the following rates:
    - 1-5 permits per calendar year: \$6.00 per permit
    - 6-15 permits per calendar year: \$8.00 per permit
    - 16-20 permits per calendar year: \$11.00 per permit
  - Weekly Permits: Two-week increment permits may be purchased with the following rates – maximum 32 weeks allowed per calendar year per address:
    - Two weeks: \$45.00
    - Four weeks: \$65.00
    - Six weeks: \$84.00
    - Eight weeks: \$109.00
- Other Permits:
  - Business Permit (\$128):
    - Commercial property owners operating a business on an RPP zoned block may obtain one (1) parking permit for a personal vehicle per postal address.
    - Up to three (3) additional permits may be purchased for delivery vehicles with commercial license plates that are registered to the business address.
  - Annual Permit for Medical Caregiver (\$128): Up to three (3) permits may be issued for use by the resident's health care provider.
  - Annual Permit for Child Caregiver (\$128): One (1) transferable parking permit for use by persons who provide childcare for a minor 12 years of age and under. This permit is counted towards the maximum four (4) permits allowed per address.
  - Teacher/Fire Station/Foreign Consulate Permits: A limited number of parking permits are available by special request.

## City of Walnut Creek

- Annual Residential Permit (\$15):
  - Up to three (3) permits per dwelling unit for specific vehicles owned by residents of that dwelling unit.
  - Up to two (2) guest permits per dwelling unit for residents of such unit for visitors. One (1) additional guest permit may be issued to nonresident



property owners for properties owned in that RPP area upon submission of proof of ownership.

- A maximum of ten (10) free one (1) day guest parking permits, per special event by special request.



CITY COUNCIL  
Linda Maio

CONSENT CALENDAR  
March 11, 2014

TO: Honorable Mayor and Members of the City Council  
FROM: Councilmembers Linda Maio and Darryl Moore  
SUBJECT: Expansion of Permit Parking to Impacted Areas

RECOMMENDATION:

Refer to the City Manager the expansion of Residential Permit Parking to impacted areas beyond "The Donut," an expansion that is sensitive to the mix of uses that are both residential and commercial, such as exist in West Berkeley.

BACKGROUND:

As intensification of commercial uses grows in West Berkeley, residential neighbors who have no off-street parking find themselves in a hardship situation. They are unable to park near enough to their homes to manage groceries and children, or disability needs. Employees of commercial uses who commute park all day on these streets. Given that many of the properties for both residential and commercial are historic and lack on-site parking, street parking becomes highly competitive. Residents I have heard from are sensitive to the fact that they live in a mixed use area and know the businesses need parking as well. Some have suggested that they can "share the block" and have at least half be residential permit parking. This matter will ultimately go to the Transportation Commission but is being referred to the City Manager, as the first step is to conduct appropriate studies for implementing permit parking.

What follows are excerpts from an email that is typical of those I have been receiving:

*Ms. Maio,*

*I have lived on Cedar Street between 5th and 6th, since 1981. During this time I have seen many positive changes in our neighborhood, and a few that are not so great. Perhaps the most noticeable and constant problems are traffic and parking. Many of my neighbors have no driveways at all, and often find it impossible to park in front of, or even near their homes. This presents special difficulties for the elderly, the handicapped, and those with young children.*

FINANCIAL IMPLICATIONS:

Staff time to identify impacted areas and appropriate studies.

CONTACT:

Councilmember Linda Maio, District 1, 510-981-7110, lmaio@cityofberkeley.info



