



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: March 1, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan Grogan, City Manager

PREPARED BY: Ryan Johansen, Police Chief

SUBJECT: Receive Report on the Downtown Parking Meters and Enhanced Parking Enforcement Project

BACKGROUND:

In January 2019, the San Bruno Downtown Parking Study Final Parking Management Plan was prepared by CDM Smith for the City of San Bruno. The study found in their existing conditions analysis that, *"Concern over parking issues in downtown San Bruno has intensified over recent years and outreach efforts have found that residents generally find the current conditions unacceptable. Population and job growth and housing costs have resulted in increased occupancy in the housing in surrounding neighborhoods, resulting in demand for parking that exceeds the existing supply."*

The plan made a set of phased parking management recommendations to manage the downtown area's high afternoon and evening parking demand, help users find and use available parking, improve parking availability for residents, and potentially increase the parking supply.

Some of the recommendations included:

- Adjust enforcement hours to better manage the heavy-use evening period
- Adjust time restrictions, primarily to convert 5-hour spaces to 10-hour spaces for employees
- Install improved signage to help drivers locate available parking
- Install parking meters on San Mateo Avenue to encourage short-term parking and direct long-term parkers into lots
- Formalize overnight parking arrangements in public lots to increase supply available to residents

In October 2019, the San Mateo Avenue Conceptual Streetscape Plan which describes the concept-level design intent that was developed through a community engagement process was finalized. The objective of this plan is *"to provide design guidance for the public right-of-way to support the City's goals of beautifying the public realm, supporting local businesses, spurring investment within the downtown core, enhancing the downtown's character, and increasing the attractiveness of the downtown as a destination."*

The San Mateo Avenue Streetscape Plan follows the Downtown Parking Management Plan's recommendations by including recommendations for:

- Wayfinding signage to direct drivers and pedestrians to and from the on-street parking lots
- Safety and character improvements in the paseos, which provide critical connections to the on-street parking resources
- Locations for parking-meter kiosks

The Traffic Section of the San Bruno Police Department has the primary responsibility for conducting parking enforcement throughout the city. The Traffic Section is allotted two full time Community Service Officers and three part time Community Service Officers to perform these parking enforcement duties. All of these CSOs are responsible for other duties beyond parking enforcement, which are critical to police operations. There is more detail provided on these other duties later in this report. This level of staffing has proved insufficient to conduct adequate parking enforcement throughout the city on a regular basis, and it affords very little time for proactive parking enforcement activities. This problem has been exacerbated by recent California Public Employee Retirement System (CalPERS) limitations on the hours that a part time employee can work, not only limiting the contribution that part time staff can make, but also making it very difficult to fill part time vacancies. This hiring difficulty is compounded by the fact that our rate of pay for part time CSOs is well below the rate in surrounding agencies.

Recent court decisions and lawsuits have also made parking enforcement activities increasingly difficult. As an example, the tire chalking procedures that have long been used to conduct timed parking enforcement and to abate abandoned vehicles are no longer lawful. Conducting the parking enforcement that the aforementioned studies have identified as so critical to quality of life in our city, especially in the downtown corridor, is not possible with currently allocated resources.

In its Strategic Initiatives for FY2021-22, the City Council included deployment of a downtown parking meter program, enhancement of citywide parking enforcement capabilities and add wayfinding signage for parking lots in downtown. Based upon their clear areas of overlap, these three initiatives have been combined into one joint project with the Police Department taking the lead.

DISCUSSION:

Limited Staff Hours to Conduct Proactive Parking Enforcement

As previously mentioned, the Traffic Section is normally allotted two full time Community Service Officers and three part time Community Service Officers to perform traffic and parking enforcement related duties. While this gives the first impression that there are five CSOs on patrol and available to respond to any parking complaints each day, in reality there are at most a total of three; the two full-time CSOs and one of the part-time CSOs. This due to CalPERS rules for part time employees which now limit the part time CSO's to working a maximum of 1000 hours annually which results in them being only able to work two days a week. This results in the three part-time CSOs each only working two days a week for a total of six days of staff coverage by them.

The two full-time CSOs are tasked with conducting street sweeping enforcement which occurs typically two weeks each month: on the 1st and 3rd weeks. This means on the 1st and 3rd weeks of the month, the two full time CSOs spend considerable portions of their shift conducting street

sweeping enforcement by following the street sweepers' fixed routes, and they are unavailable to respond to other parking complaints or perform any other CSO duties, leaving only the one part-time CSO working that day available to respond to parking complaints and calls for service.

The full time CSOs also investigate storage of vehicles on the street complaints (SBMC 7.16.100: 72-hour street parking limit). These investigations are extremely labor intensive and time consuming as they must first locate the vehicle, then process the vehicle by taking photos and documenting the position of the vehicle and surrounding area, placing a warning notice on the vehicle, and entering the information into the CAD system. The CSOs then must return to the location at least 72-hours later to determine if the vehicle has been moved. In 2019, the Department had 2735 "abandoned vehicle" complaint incidents, which equates to 52 incidents per week. This further breaks down to about 10 new incidents each day that CSOs must process.

The two full time CSOs are responsible for many other duties that are critical to regular police operations as well. This not only limits the scheduled hours that they are available to work on parking enforcement issues, but also often results in them being taken away from their parking enforcement activities to assist with more pressing police matters. Such duties include, but are not limited to: taking cold crime reports, taking collision reports, transporting property and evidence, delivering and picking up correspondence, helping maintain the vehicle fleet, backfilling for other duties such as Court Officer, etc.

With the limited staff time, there are normally no CSOs working after 2:30 p.m., and there are currently no enforcement hours to manage the heavy-use evening period in the downtown area as identified in the aforementioned studies.

Unable to Conduct Timed Parking Enforcement Through Traditional Tire Chalking Procedure

The CSOs are tasked with conducting timed parking enforcement in the City. Previously, this would entail the CSOs traveling a timed parking enforcement route to mark vehicles' tires with chalk in timed parking areas, including El Camino Real, the San Mateo Avenue downtown area, and City Lots. A CSO then must return two to five hours later to determine if any of the parked vehicles are parked over the time limits. In 2019, the US Sixth Circuit Court of Appeals ruled against the city of Saginaw, Michigan in a lawsuit brought about by a person who received parking citations that resulted from a parking enforcement officer chalking their tires. The court ruled that chalking a vehicle's tires constituted an illegal search by the government in violation of the Fourth Amendment. The city of Saginaw brought more arguments in front of a lower court but in August 2021, the US Sixth Circuit Court of Appeals reaffirmed their decision that chalking tires was illegal. San Bruno is located in the US Ninth Circuit Court District, and the Sixth Circuit Court decision technically does not currently affect the Bay Area. However, on September 4, 2021, a plaintiff brought a class action lawsuit against San Francisco for \$50 million for receiving a parking citation because of their tires being chalked. That same day, a similar lawsuit for \$5 million was filed against the City of San Leandro by the same attorney. Based on these events, the Police Department has had the CSOs stop chalking vehicle tires to mitigate any potential liability to the City.

These limitations in being able to chalk tires for timed parking enforcement and the very few discretionary staff hours available for proactive parking enforcement have resulted in challenges for the Traffic Section to be able to address the community's recurring requests for parking enforcement in their neighborhoods.

Hybrid Outsourced Parking Enforcement and Downtown Metered Parking as an Option

The Police Department has explored the possibility of combining outsourced parking enforcement services to a private vendor, with establishing metered parking in the downtown area, as an option for mitigating these challenges and fulfilling some of the downtown parking study's recommendations.

Notably, the benefits of linking contracted parking enforcement and the installation of downtown parking meters include:

1. Having full time contractors dedicated solely to parking enforcement will greatly increase the City's ability to respond to residents' parking enforcement requests as well as to be able to consistently conduct proactive parking enforcement efforts.
2. Establishing downtown metered parking will allow for a more fair and consistent movement of vehicles from the limited parking spaces in the downtown area and City Lots. Enforcement of metered parking violations will be easier, faster, and will not require the chalking of tires and its accompanying liability concerns.

Outsourcing parking enforcement has been done with good success in many cities, including locally by the City of San Mateo. As a direct response to their community's requests, the City of San Mateo re-engineered their approach to parking enforcement in 2019 by designing a hybrid model. The City of San Mateo partnered with a parking services company called Serco to address downtown parking, their growing residential parking permit program, and other regular services; while still retaining CSOs to handle abandoned vehicle abatement and other requests that might require a community policing-type response. Serco began operations in February 2020 with one employee, and their operation has grown to nearly ten employees to manage the parking enforcement needs of San Mateo. Staff has spoken with San Mateo Police staff who advised that they are very satisfied with the company's parking enforcement services. On May 1, 2021, there was an official transition from Serco to another private company named LAZ Parking as Serco wanted to focus on federal contracts instead. Serco sold their assets to LAZ Parking and existing staff transferred over. San Mateo Police staff advised they are also satisfied with the parking enforcement services now being provided by LAZ Parking.

San Bruno staff has consulted with LAZ Parking regarding the possibility of outsourcing some parking enforcement services and establishing metered parking in the Downtown area and City Lots. To this point, staff has focused in on LAZ Parking for several reasons. In the early stages of this process, staff assessed other vendors for the parking meters portion of this service and found LAZ to be by far the most responsive, accommodating, and affordable. Additionally, LAZ Parking was the only vendor that was able to demonstrate several local successes in providing the array of services required. LAZ was also the only vendor that could serve as one point of contact, aggregated all of the services we require for this program. LAZ's services are also part of the National Cooperative Purchasing Alliance, a GSA Cooperative. LAZ Parking is a national parking company, headquartered in Hartford, CT, with regional offices across the U.S. LAZ Parking has broad experience and their portfolio includes major on-street and off-street municipal parking, mass transit parking systems, entertainment/event parking, commercial, residential buildings, hotels and resorts, office buildings, mixed-use projects, hospitals and medical complexes, airports, university parking, shuttle services and valet-oriented parking. Some of the municipalities they have contracts with include City of West Hollywood, City of

Inglewood, City of Palo Alto, City of Salinas, Santa Ana Police Department and the San Mateo Police Department.

The following proposal for parking enforcement and related services was collaboratively created by Staff and LAZ Parking to be a program which will fulfil the City's parking enforcement needs and meet some of the recommendations of the San Bruno Downtown Parking Study Final Parking Management Plan. The proposal is for LAZ Parking to provide:

Parking Enforcement Services

- Four full-time Parking Enforcement Representatives (PERs) which would provide for parking enforcement coverage from Monday-Saturday with 3-4 PERs working each day. The PERs will wear LAZ polo shirt uniforms, name tags and LAZ badges. PERs will be equipped with TurboData TicketPro electronic citation writers which are what the Police Department CSOs also use. Having 3-4 full-time PERs working each day would allow for later enforcement hours to manage the heavy-use evening period in the downtown area.
- Two part-time PERs would be provided on the 1st and 3rd Mondays and Tuesdays to supplement street sweeping enforcement. This would allow for the other PERs to continue to focus on general city-wide parking enforcement as well as parking enforcement in the downtown area.
- One Project Manager and one Regional Manager to manage all of the services we contract with LAZ to provide.
- Four ALPR-equipped parking enforcement vehicles which are typically Toyota Prius sedans. The vehicles will be marked as LAZ vehicles, equipped with amber strobe lights, Automated License Plate Reader system and a GPS tracking system. LAZ Parking is responsible for all vehicle maintenance and insurance. The License Plate Reader system continually reads parked vehicles' license plates and/or vehicle descriptions as a PER drives the vehicle on patrol. The ALPR system will alert the PER if it detects a possible vehicle that is parked beyond the allowed time limit or a vehicle that has not paid in a metered location.
- A Parking Enforcement Office will be leased by LAZ Parking within the City to provide a location for their PERs to have a briefing, use a computer, take breaks, and provide parking for their vehicles.

Establish Metered Parking

LAZ will facilitate the establishment of metered parking in the San Mateo Avenue downtown area, and in the eight (8) City parking lots. Information on the street parking spaces in the downtown area currently controlled with timed parking restrictions was referred to LAZ Parking's sub-contractor Mackay Meters to provide a proposal to install parking meters for those street parking spaces, along with installing pay stations for the eight City parking lots. The 189 timed parking spaces that are proposed to be converted to metered parking spaces matches the count of the 189 timed parking spaces listed in the January 2019 San Bruno Downtown Parking Study. MacKay Meters estimated 31 single space and 79 two-space meters (a total of 189 street parking spaces requiring a total of 110 poles) will be needed to service the street parking spaces and 17 pay stations will be needed to service the eight City Lots. Mackay Meters proposal and maps of the proposed meter and pay station locations is attached.

The parking meters for street parking would be pay by space while parking in the City Lots

would be pay by plate. With a pay by plate system, there could be accommodations made for long term parking. Short term parkers would pay at the pay station and enter their license plate number. Those users would be subject to the timed parking limits of the lot. A permit system could be utilized to allow for long term parking. For example, there could be business permits allotted for downtown businesses so that business owners and employees could park for longer than the timed parking limits of the lots. There could be an overnight City Lot parking permit for residents so that they could park overnight in the city lots. These are consistent with some of the recommendations in the 2019 Downtown Parking Study to:

1. Adjust time restrictions, primarily to convert 5-hour spaces to 10-hour spaces for employees
2. Install parking meters on San Mateo Avenue to encourage short-term parking and direct long-term parkers into lots
3. Formalize overnight parking arrangements in public lots to increase supply available to residents

Parking Permit Processing Services

Turbo Data Systems (TDS) provides parking citation processing services and is the vendor that the Police Department currently uses for that purpose. The Police Department also uses the TDS TicketPro electronic citation writers which allow for parking citations to be quickly completed and issued and allows for data integration with the back-end parking citation processing system. TDS also has a Parking Permit program which is a cloud-based system designed to allow residents and business owners to apply for and purchase parking permits online. The system can be used for business parking permits for long term parking by business owners and employees as well as Residential Zone parking permits so that it can be used to allow for overnight parking in the City Lots as well as be utilized for a Residential Parking Permit Program Zone permits. The system allows for annual permit renewals, by letter generation and mailing and/or electronic notification. Applicants can register for an account and upload required documents which can then be verified by the City or TDS. Upon approval, the applicants will be notified to submit a permit request for the district/zone. The permit management system is scalable and designed to handle multiple permit types. The preferred type would be Virtual Permits which uses the vehicle's license plate number as the permit. The Permit pricing can be tier-structured, prorated or allow for special exceptions, discounts, pickup, delivery, etc. The system allows for both TDS and designated City staff to issue and administer permits as needed.

FISCAL IMPACT:

The estimated known costs for outsourcing parking enforcement services, establishing metered parking in the downtown area and City Lots, and utilizing the TurboData Parking Permit Program are below. The capital expenditure for the parking meters and pay stations and vehicle License Plate Readers are built into the LAZ Parking quote to provide parking enforcement services at a 36-month term at 7% financing.

1. LAZ Parking to provide parking enforcement services and staff, provide their own office space and vehicles equipped with LPR's, have parking meters and pay stations installed on pre-installed poles and pads in the downtown area and City Lots through MacKay Meters. With a 36-month term, **\$45,000 monthly**

2. LAZ Parking to service and collect revenue from the meters and pay stations, **\$3500 monthly**

3. Turbo Data Systems Permit Program to manage the City's residential and business parking permit program and issue permits, **\$1000 monthly**

Total estimated monthly costs: \$49,500
Total estimated annual costs: \$594,000

At the end of the of the 36-month term, the City would retain ownership of the parking meters and pay stations as well as the vehicle License Plate Reader systems. At that point the monthly costs would drastically reduce as the only costs would be for services.

There are some expenses associated with this project that have not yet been determined, including:

1. Installing the 110 poles for the meters and the 17 concrete pads for the pay stations. Public Works will be working to obtain a quote and/or provide an estimate for this portion of the project.
2. Install improved signage to help drivers locate available parking and wayfinding signage to direct drivers and pedestrians to and from the on-street parking lots.
3. Create and adopt a new San Bruno Municipal Code Chapter authorizing metered parking and metered parking violations.

The average monthly revenues from parking citations over the past five (5) years has been approximately \$54,995/month. This amount alone is sufficient to cover the currently estimated cost of this program at \$49,500/month. Based upon deployment of similar programs in other jurisdictions, the City can expect a substantial increase in citation revenue with the enhancement of enforcement capabilities.

Additionally, this program will generate substantial revenues through the paid parking meters and paid City parking lots, as well as through the potential sale of various parking permits. Further fiscal analysis can be conducted to better estimate these revenues after staff has received direction as to parking/permitting fee amounts, but suffice it to say that overall, deployment of this program should generate a net fiscal gain for the City.

Furthermore, City Council has allocated \$225,000 to the Capital Improvement Project for installing parking meters downtown in the current CIP budget.

ENVIRONMENTAL IMPACT:

The action is not a project subject to CEQA. City Council's action is not considered a "Project" per CEQA Guidelines and therefore no further environmental analysis is required.

RECOMMENDATION:

Receive Report on the Downtown Parking Meters and Enhanced Parking Enforcement Project

ALTERNATIVES:

No specific action requested at this time, so no alternatives noted.

ATTACHMENTS:

1. Quote from LAZ
2. Quote from MacKay
3. Quote from TurboData
4. Area maps from LAZ
5. San Bruno Downtown Parking Study Final Parking Management Plan