



## AGENDA REPORT

**Meeting Date:** February 17, 2009  
**Item Number:** F-8  
**To:** Honorable Mayor & City Council  
**From:** Chad Lynn, Director of Parking Operations  
**Subject:** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS ADJUSTING THE PARKING CITATION CHARGES FOR FISCAL YEAR 2008/2009

**Attachments:** 1. Resolution with Exhibit "A" – Parking Citation Fines

---

### **RECOMMENDATION**

Staff recommends adoption of the resolution relating to the charges for parking citations.

### **INTRODUCTION**

The City of Beverly Hills revised parking citation fines on December 12, 2008 for implementation in January of 2009. The additional revenues generated from the new citation fines backfilled General Fund subsidies that mitigate the structural deficit in the Parking Enterprise Fund.

In January 2009, staff was notified of the passage of SB1407, which increases the fees paid by the City to the State Court System from \$1.50 to \$4.50 for a total increase of \$3 per citation. If the City does not amend the parking fines to account for these new expenses, sixty percent of the projected revenues generated by the rate adjustment in December 2008 will be used to pay these new fees. Staff has been working with the City Attorney's office, the California Public Parking Association (CPPA) and other local agencies to determine the full impacts and obligations this new legislation places on the local governments and the City of Beverly Hills.

### **DISCUSSION**

Since these fees are not under the authority of the City, and since the City will be assessed these fees as of January 1, 2009, staff is recommending the City Council adjust the parking citation fines again to account for these new fees. Since all cities in California are faced with the same assessment, most agencies plan, or have already, increased their parking citation fines ranging from \$3 to \$5 for each violation. Based on

the statewide assessment of this fee, the difference in citation fines in Beverly Hills as compared to other agencies will remain consistent.

<b>Current Citation Fine Comparison</b>				
<b>Violation</b>	<b>Beverly Hills</b>	<b>City of Los Angeles</b>	<b>City of West Hollywood</b>	<b>City of Santa Monica</b>
METER VIOLATION	\$45	\$45	\$35	\$35
PARKING PERMIT ONLY	\$50	\$50	\$40	\$47
NO PARKING 2:30a to 5a	\$50	\$50	\$40	\$38
EXCESS TIME LIMIT	\$45	\$40	\$40	\$47
STREET CLEANING	\$60	\$55	\$45	\$47
RED ZONE	\$85	\$75	\$65	\$47
NO STOPPING	\$85	\$75	\$65	\$47

<b>Proposed Citation Fine Comparison</b>				
<b>Violation</b>	<b>Proposed BH Fine</b>	<b>City of Los Angeles</b>	<b>City of West Hollywood</b>	<b>City of Santa Monica</b>
METER VIOLATION	\$48	\$48	\$38	\$38
PARKING PERMIT ONLY	\$53	\$53	\$43	\$50
NO PARKING 2:30a to 5a	\$53	\$53	\$43	\$41
EXCESS TIME LIMIT	\$48	\$43	\$43	\$50
STREET CLEANING	\$63	\$58	\$48	\$50
RED ZONE	\$88	\$78	\$68	\$50
NO STOPPING	\$88	\$78	\$68	\$50

In addition to adjusting the fine amounts to mitigate the impacts from state fees, staff is proposing reductions in late fees for all violations with fines over \$250 to encourage greater collections for higher dollar violations. Currently late fees for all parking violations are the equivalent to the original fine amount, effectively doubling the original fine for failure to respond or pay the citation within the prescribed timeframe as established by the California Vehicle Code.

**FISCAL IMPACT**

In December 2008, the City Council adopted parking fines estimated to generate an additional \$700,000 annually. Based on the new fees assessed by the state, the City incurs an additional \$432,000 in expenses, providing net new revenues of only \$268,000 of the original estimates.

Meeting Date: February 17, 2009

Adjusting all parking violations by \$3.00 will mitigate the impacts to these new fees and restore the \$432,000 in additional revenues generated by the December 2008 citation fine adjustments.



---

Scott Miller  
Finance Approval



---

David Gustavson  
Approved By

RESOLUTION NO. 09-R-\_\_\_\_\_

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY  
HILLS ADJUSTING THE PARKING CITATION CHARGES FOR  
FISCAL YEAR 2008/2009

The Council of the City of Beverly Hills does resolve as follows:

Section 1. As set forth in Resolution 08-R-12604, the City Council has established, amended, fixed and modified, effective July 1, 2008, all fees, permit fees, City service charges, and other fees, charges, extractions, and required payments for municipal services, inspections, enforcement activities or other indicated purposes (“Comprehensive Schedule of Taxes, Fees and Charges”). This Comprehensive Schedule of Taxes, Fee and Charges also includes the City’s Parking Citation Charges (i.e. fine schedule) for Fiscal Year 2008/2009.

Section 2. The City Parking Citation Charges for Fiscal Year 2008/2009 is hereby adjusted as set forth in Exhibit A, attached hereto and incorporated herein and shall be included in the Comprehensive Schedule of Taxes, Fees and Charges.

Section 3. The City Council is taking action only on that fee which has been established as set forth in Exhibit A. The remaining fees, permit fees, City services charges and other fees, charges, extractions, and required payment for municipal services as set forth in the Comprehensive Schedule of Taxes, Fees and Charges have not been modified.

Section 4. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and its certification to be entered in the Book of Resolutions of the Council of this City.

Adopted:

\_\_\_\_\_  
BARRY BRUCKER  
Mayor of the City of Beverly Hills,  
California

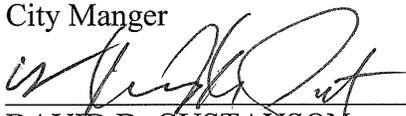
ATTEST:

\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
RODERICK J. WOOD, CCM  
City Manger  
  
\_\_\_\_\_  
DAVID D. GUSTAVSON  
Director of Public Works and Transportation

  
\_\_\_\_\_  
SCOTT G. MILLER  
Director of Administrative Services/ Chief  
Financial Officer

City of Beverly Hills  
 Department of Public Works and Transportation  
 Parking Operations Division  
 Exhibit A

SB 1407 Amended  
 2009  
 RATES

**REFERENCE**

**Parking Citation:**

Citation Fines include State mandated fees, currently \$8.00 per citation. Late charges are applied 21 days (or more) after the issuance of citation.

\* **Supplemental Late Charges** are an additional late charge applied 90 days (or more) after issuance of a citation equal to the amount of the fee that is charged the City upon assignment as a delinquent account for Special Collection processing - a DMV processing fees of \$3.00 and 25% of the outstanding balance at the time of assessment.

City of Beverly Hills Municipal Code Parking Penalty Schedule:			<u>Citation</u> <u>Fine</u>	<u>Late</u> <u>Charge</u>	<u>Additional</u> <u>Charge</u> *
4-2.705a	MC	Peddler over 30 min or w/in 500' 4 hours	153.00	153.00	
4-2.705b	MC	Peddler parked in residential 6p - 8a	153.00	153.00	
7-1.113	MC	Remove Marking/Obstruct Enforcement	153.00	153.00	
7-1.114	MC	Disabling Parking Equipment	153.00	153.00	
7-2.207	MC	Tour Bus Loading Zone Regulations	263.00	250.00	
7-2.208	MC	Tour Bus Staging Zone Regulations	263.00	250.00	
7-2.209	MC	Unlawful Engine Operation	263.00	250.00	
7-2.210	MC	No Tour Buses in Residential Area	263.00	250.00	
7-2.302	MC	Waiting at Parking Facility Entrance	88.00	88.00	
7-2.401	MC	For Sale - Solicitation in Right of Way	53.00	53.00	
7-2.402	MC	For Sale To Persons - Solicitation	53.00	53.00	
7-3.101 A	MC	Red zone	88.00	88.00	
7-3.101 B	MC	Yellow zone	48.00	48.00	
7-3.101 C	MC	Yellow Customer Loading zone	48.00	48.00	
7-3-101 D	MC	White zone	48.00	48.00	
7-3.101 E	MC	Green zone	48.00	48.00	
7-3.101 F	MC	Disabled space	353.00	250.00	
7-3.101G	MC	Posted White Zone	48.00	48.00	
7-3.102 A	MC	Posted No Parking	58.00	58.00	
7-3.102 B	MC	In excess of posted time limit	48.00	48.00	
7-3.102 C	MC	Street Cleaning	63.00	63.00	
7-3.102 D	MC	No Stopping	88.00	88.00	
7-3.103	MC	Improper parking on Grade	38.00	38.00	
7-3.104	MC	Parking on unpaved surface	53.00	53.00	
7-3.105 A	MC	On private property without consent	58.00	58.00	
7-3.105 B	MC	Vacant lot without consent	58.00	58.00	
7-3 106	MC	No Parking - Public Grounds	58.00	58.00	
7-3 107	MC	Parked / Head in only	38.00	38.00	
7-3.108 A	MC	Park/repark within 500' within 4 hours	48.00	48.00	
7-3.108 B	MC	Vendors park/repark within 500' within 4 hours	48.00	48.00	
7-3.109	MC	Not parked within a single space	48.00	48.00	
7-3.110	MC	Successive overtime violation	68.00	68.00	
7-3.112	MC	Parked in alley	68.00	68.00	
7-3.116	MC	Failure to pay posted rate in Municipal Parking Facility	58.00	58.00	
7-3.117	MC	Unlawful Use of Invalid Disabled Placard	500.00	250.00	
7-3.118	MC	No Limos in Residential Zones	263.00	250.00	
7-3.119	MC	Limo Staging Zone	263.00	250.00	
7-3.121	MC	Parking Prohibited in Anti-Gridlock Zones	153.00	153.00	
7-3.211	MC	Permit Misuse	153.00	153.00	

City of Beverly Hills  
 Department of Public Works and Transportation  
 Parking Operations Division  
 Exhibit A

City of Beverly Hills Municipal Code Parking Penalty Schedule:			Citation Fine	Late Charge	Additional Charge *
7-3.212 A	MC	Parking by permit only	58.00	58.00	
7-3.301 A	MC	No parking 2:30am to 5:00am	53.00	53.00	
7-3.308	MC	No parking 2:30am to 5:00am	53.00	53.00	
7-3.408	MC	Failure to activate meter time	48.00	48.00	
7-3.409	MC	Meter violation	48.00	48.00	
7-3.412	MC	Tampering with meter	153.00	153.00	
7-3.413	MC	Use of slugs	153.00	153.00	
7-3.414	MC	Deposit coins-meter for profit	63.00	63.00	
TBD	MC	Vehicle Removal/Fire Safety Ord	88.00	88.00	
<b>California Vehicle Code Violations:</b>					
4000a	CVC	No Evidence of registration	58.00	58.00	
4457	CVC	Mutilated/illegal license plates	N/A	N/A	
5200	CVC	License plate missing	48.00	48.00	
5201	CVC	License plates improperly positioned	48.00	48.00	
5204a	CVC	No license tabs/improperly attached	48.00	48.00	
21461	CVC	Failure to follow posted signs	48.00	48.00	
22500a	CVC	Parking within an intersection	58.00	58.00	
22500b	CVC	Parking on a crosswalk	88.00	88.00	
22500c	CVC	Parking/safety, sign or red curb	88.00	88.00	
22500d	CVC	Parking/fire station entrance	88.00	88.00	
22500e	CVC	Parking/blocking a driveway	58.00	58.00	
22500f	CVC	Parking on sidewalk	58.00	58.00	
22500g	CVC	Parking along excavation	58.00	58.00	
22500h	CVC	Double parking	88.00	88.00	
22500i	CVC	Parking in bus zone (b)	273.00	250.00	
22500j	CVC	Parking in tunnel	88.00	88.00	
22500k	CVC	Parking on bridge	88.00	88.00	
22500l	CVC	Parking/blocking wheelchair access (b)	353.00	250.00	
22500.1	CVC	Parking in fire lane	88.00	88.00	
22502a	CVC	Parking 18" from right curb	53.00	53.00	
22502e	CVC	Curb parking/one way street	53.00	53.00	
22507.8a	CVC	Disabled parking/private/public (c)	353.00	250.00	
22507.8b	CVC	Blocking disabled parking (c)	353.00	250.00	
22507.8c	CVC	Blocking disabled space markings (c)	353.00	250.00	
22511.56	CVC	Misuse of Disabled Placard	500.00	250.00	
22514	CVC	Parking within 15' of fire hydrant	88.00	88.00	
22515a	CVC	Unattended vehicle/engine running	38.00	38.00	
22516	CVC	Locked door/no escape	38.00	38.00	
22517	CVC	Vehicle door open to traffic	38.00	38.00	
22520	CVC	Parking on freeway	N/A	N/A	
22520.5a	CVC	Vending on freeway	N/A	N/A	
22521	CVC	Parked on or within 7 1/2' of RR tracks	88.00	88.00	
22522	CVC	Parked within 3' of sidewalk ramp (b)	353.00	250.00	
22523a	CVC	Abandon vehicle upon highway (d)	153.00	153.00	
22523b	CVC	Abandon vehicle public/private property (d)	153.00	153.00	
22526a	CVC	Blocking intersection/crosswalk (a)	88.00	88.00	
22526a	CVC	Blocking intersection/crosswalk turning (a)	88.00	88.00	
22951	CVC	Lot street and alley parking	58.00	58.00	

City of Beverly Hills  
 Department of Public Works and Transportation  
 Parking Operations Division  
 Exhibit A

City of Beverly Hills Municipal Code Parking Penalty Schedule:			<u>Citation</u>	<u>Late</u>	<u>Additional</u>
			<u>Fine</u>	<u>Charge</u>	<u>Charge *</u>
21113a	CVC	Parked on Public Grounds	58.00	58.00	
21211b	CVC	Bike lane / path	88.00	88.00	
		Copy of notice of parking violation (e)	2.00		
		(a) Minimum bail set by California Vehicle Code Section 42001.1.			
		(b) Minimum bail set by California Vehicle Code Section 42001.5.			
		(c) Minimum bail set by California Vehicle Code Section 42001.13			
		(d) Minimum bail set by California Vehicle Code Section 22523c.			
		(e) California Vehicle Code Section 40206.5.			