



# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Discussion and Possible Direction  
Lodi Downtown Business Association/  
Downtown Parking Enforcement

MEETING DATE: February 19, 1992

PREPARED BY: City Attorney

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RECOMMENDED ACTION: Discussion **and possible** direction  
Lodi Uowntown Business Association/Downtown  
Parking **Enforcement**.

### BACKGROUND INFORMATION:

At the January 22, 1992 meeting between Mayor Jim Pinkerton, Lodi Downtown Business Association representatives Dan Battilana and John Borelli, and myself, several questions arose concerning parking enforcement in downtown Lodi.

One of the possibilities discussed involved a self-assessment of LDBA members to create a fund which could then be used to reimburse customers who receive parking citations while shopping downtown. There would be several advantages to this approach. First, it would require no procedural changes in how the City handles parking citations. A customer receiving a citation would pay the fine and take the receipt to the store where he or she shopped when the citation was received. If the store verified the person was a bonafide customer, reimbursement would be made.

This would also discourage overtime parking by downtown merchants and employees, since the two-hour limit would continue to be enforced and they would not be eligible for reimbursement under the LDBA policy. Overtime parking by downtown business people was **one** of the major points discussed previously.

It was suggested that if this approach was used, that a "two-tier" system of fines be explored. If bail was posted promptly (**for** example, within **48** hours), a lower bail would apply, and if delayed, the bail would increase. This appears to be feasible.

APPROVED - I - *THAS A PETERSON*

THOMAS A. PETERSON  
City Manager



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The Lodi Municipal Court, which *sets* bail for such violations, already has a "two-tier" bail system in place (see Attachment A) allowing a lower bail **if** promptly posted. **Although** i have no knowledge of the logistics under which citations are transmitted to the Court, I **believe** it would be possible to coordinate between the Finance Department and the Court to **allow** such expeditious handling.

Although the citations have no vehicle owner information on them when issued, this is obtained and added to the citation before **it** is given to the Court. Having the name on **the** citation and the bail receipt would help the **LDBA** to confirm whether a **violation** was a customer or **an** ineligible **person**.

As a side note, information received from the Finance Department shows that of the 55.50 bail now set by the Court **for** overtime parking, State mandated costs make up about \$5.06 of that amount, with the City receiving the other **50.44** per citation. **Our past** experience with the Court has shown the Judges to be cooperative with any reasonable request from the City in establishing parking **finer/bails**. However, **it** should **be** remembered that the **City** has no direct control over the bail-setting for such violations and has no control at all over the amount of State-mandated surcharges imposed.

A second option **discussed** was the use of "stickers" purchased from the City by **LDBA** which **would** then be affixed to parking citations to cover bail or fine. **Admittedly**, this is a new concept which has not been tried elsewhere to my **knowledge** and it probably **would** involve changing the collection procedures. The proposal as discussed would go as follows:

1. The City sells validation stickers to **LDBA** members. The cost covers at a minimum, the State-mandated costs (presently approximately 55.00) since these **fees** apply to all parking citations issued. even if the City instead of the **Court** collects the bail.

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2. Customers receiving the citation would then take them to the merchants who would affix a validation sticker.
3. The citation is then delivered to the City finance Department and is never processed by the Court.
4. It would probably be necessary to have a strict time limit Such as 48 or 72 hours after which the citation would be forwarded to the Court for routine processing if the sticker is not used.

There are obviously pros and cons to this idea. It probably would require the merchants to pay in advance for a sheet or book of validation stickers. This might be to the City's benefit because we would get the funds up front. However, these stickers could be lost, stolen, or misused. It would also require the City to establish a new procedure adopted under a new ordinance to handle this process. Staff resources needed for this program can't be predicted at present, and other problems (such as unforeseen bail increases after stickers are issued) might arise.

Another possibility discussed involved simply terminating routine parking enforcement in downtown, such as the City of Tracy has done. This is the most drastic option which may not be acceptable to anyone.

In my discussion with Tracy City Attorney Debra Corbett, she indicated that that their "complaint only" parking enforcement program has not generated a great deal of problem, and she was unaware of specific complaints. However, Tracy is presently working on a new downtown redevelopment plan which will likely contain a "parking element" that will change the situation entirely.

On a related point, it was suggested that lunch hours for Lodi's parking enforcement assistants be staggered so as to provide better coverage around noon. Finance Director Dixon Flynn has said this is

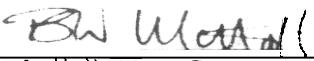
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possible, but he **does** not believe this would significantly increase coverage, since the cycles of tire marking and citation issuing do not generally overlap between 12:00 and 1:00 o'clock.

A meeting between the LDBA and City representatives is **now** scheduled for February 13, 1992, at which time LDEA will probably offer its suggestions. Those will be presented to the Council at the meeting of February 19, 1992.

FUNDING: Unknown.

Respectfully submitted,

  
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Bob McNatt  
City Attorney

BM/vc

## LODI MUNICIPAL COURT

**Bail Schedule for Lodi Municipal Code Downtown limited parking violations**  
**Effective: Citations issued on or after December 23, 1991.**

## FIRST VIOLATION:

24 Hours	\$	5.50	
After 7 days		10.50	(7 vorking days)
Notice		15.50	
HOLD		35.00	

## SECOND VIOLATION:

26 Hours	\$	8.50	
After 7 days		13.50	(7 vorking days)
Notice		18.50	
HOLD		18.00	

## THIRD VIOLATION:

24 Hours	\$	13.50	
After 7 days		18.50	(7 vorking days)
Notice		23.50	
HOLD		43.00	