

Attachment 6. Draft March 16 Downtown Commission Minutes (Excerpt)

2. Use of Downtown Parking Lots and Garages *

Recommendation: That the Downtown Commission recommend that the City Council adopt an ordinance defining the proper use of parking lots and garages, specifically for the purpose of parking vehicles and bicycles.

Matt Farrell presented the staff report.

John Barisone, City Attorney: Ordinances are a response to policy determinations made by City Council, boards and commissions. Once a policy determination is made, the City Attorney's office determines if an ordinance can be initiated. In this instance, a health and safety issue in the parking structures and parking lots was determined to exist and the City Attorney's office was asked to draft an ordinance to address this issue. Santa Cruz is a charter city and has Police Powers Authority. The question arose regarding the civil rights of people to use the parking lots/garages for other uses than parking. Determined that First Amendment rights would not be impeded by this ordinance. This is a standard regulation that can be adopted.

Deputy Chief of Police K. Vogel: Sgt. Dan Flippo oversees the Downtown Unit. The Police Department responds to approximately 76,000 calls for service throughout the City each year. Most responses Downtown are reactive. Can't address these issues proactively unless the problem is caught in progress. This ordinance would allow PD to take a more proactive stance, reducing crime and reducing the fear of crime, ultimately making Downtown a more attractive place for the general public.

Steve Sawyer, Parking Maintenance Supervisor: There are five full time persons who maintain the City's parking facilities. There are many people in these facilities who don't belong there. Can't protect the safety of his employees without this ordinance.

Heather Sawyer, Parking Maintenance: Has been working in the garages for about 7 years, this past year has been the most problematic. Doesn't want this to appear to be a homeless issue. Staff has been chased, cursed, told they are responsible for cleaning up after the public. They pick up defecation daily. Cleaning up campsites in the parking garages is a daily occurrence. There is also a lot of partying in the garages on the weekends as well. Picked up a large container of "whippits" (used for inhaling aerosol chemicals for the purpose of getting high) only this morning. There is no way staff feels safe when there are 8 to 10 or more people in a group. There are thefts and vandalism and prostitution in the garages. People should park and leave. Staff feels they can't be calling the police 20 times a day, an ordinance against loitering is becoming essential to staff. It's not just homeless. The garages are not a shelter, they are not a bar, they shouldn't be a place for drug deals. The parking facilities can't be kept clean or maintained under the present onslaught. If people in the garages are awake, they can be there as long as they want. If they are sleeping, the police will respond and make them leave. If someone is not confronting the problem people every day they return. One quarter of the time staff calls PD, three quarters of the time staff attempts to alleviate the problems themselves.

Matt Farrell: Garage cameras are not monitored, are principally recording devices, and create a helpful record for investigative purposes. There are no cameras at unattended facilities. Making the facilities more secure may help decrease the calls. There is at present nothing in place for asking people to move on if they are conducting suspicious activity.

Asst. Chief Vogel: PD couldn't take on the responsibility of camera monitoring because of staffing issues. Staff could call and officers would respond to incidents as the ordinance directed. Officers would provide a verbal warning before issuing a citation. Members of the public or business community could call the Police if a violation were observed. The Soquel/Locust garage is a more secure structure, has an attendant daily.