



DOWNTOWN COMMISSION AGENDA REPORT

DATE: September 10, 2007

AGENDA OF: September 27, 2007

DEPARTMENT: Public Works / Police Department

SUBJECT: Parking Lot Use and Trespassing Ordinance Amendment

RECOMMENDATION: That the Commission recommend to City Council that Section 9.64 of the Municipal Code be amended to include all downtown surface parking lots, thereby defining proper use of public parking lots specifically for the purpose of parking vehicles and bicycles.

BACKGROUND: Public Works and Police Department staff have worked together in recent years to improve public safety and reduce crime in the downtown parking garages and surface lots. Staff suggested that a clear definition of the proper use of parking facilities, namely the parking of cars and bikes, and a warning system for distributing the information, would help solve problems before they had the opportunity to arise. Staff moved forward with this item and in March of 2006 the Downtown Commission recommended that City Council adopt an ordinance defining proper use of parking garages and lots. At the March 2006 meeting, surface lots were separated out from garages by the DTC due to a lack of crime data in the lots.

In June 2006 the Use of and Trespassing upon Downtown City Parking Lots and Garages Ordinance was authorized by the City Council. A copy of the staff report is available at <http://www.ci.santa-cruz.ca.us/cc/archives/06/4-11meeting/4-11rpt/pw1226rev.htm> and a hard copy will be available at the meeting. The ordinance covers all four downtown parking garages and one downtown surface lot, Cedar/Elm, as shown on the attached Downtown Parking Map.

The police department and parking maintenance, attendant and enforcement staff all report that the ordinance has been very useful in managing the facilities where it is in place. In an effort to be proactive with the continuing problems in the downtown area and its parking lots the Downtown Improvement Task Force has requested the trespass provision be extended to all public surface lots in the downtown area.

Staff returned to the DTC to seek expansion of the ordinance to the surface lots in May of 2007. The DTC did not uphold the recommendation, but did invite staff to return the item, with more data.

DISCUSSION: The Police Department data on Attachment 2 provides arrest, citation and field interview data from a sampling of five parking lots in the downtown area. During the previous process for the creation of the ordinance pertaining to parking garages, commissioners raised a number of questions regarding the exact meaning of calls-for-service data. This data contains specific arrest and citation information resulting from a call-for-service or a self-initiated police call. Consequently, these

numbers are significantly lower than calls-for-service at these lots (as many calls do not result in a specific arrest or citation).

The approval of the proposed ordinance would provide the City with a tool to proactively address some of the serious criminal behavior in the parking lots downtown. As the arrest and citation data reflect, some of the highest instances of criminal activities are for warrant and parole violations (including felony warrants), drug sales and possession and burglary/theft violations. Additionally, from this sampling the data shows a minimum of six violent crimes such as assault and armed robberies. It is difficult to predict what the exact quantifiable impact of the ordinance would be on criminal behavior. However, city employees believe the parking garage ordinance has provided a necessary safety tool for job performance and allowed an improved ability to prevent criminal activity before it occurs.

It should be noted that the warning feature of the current parking garage ordinance has been extremely successful. This success is illustrated by the 40 "Field Interview" contacts made at Lot 9. Subtracting those 40 out of the total, places a once troubled Lot 9 near the bottom of the data range for the surface lots sampled. Since enacting the ordinance in 2006, only two citations have been given for violation of 9.64.030.

For informational purposes, similar parking lot ordinances of three other Cities; Santa Barbara, San Jose, and Berkeley and have been included as Attachment 3.

Police, Public Works, and the Downtown Improvement Task Force are requesting the commission recommend that the Municipal Code section concerning trespass in downtown parking lots and garages be expanded to include all the downtown surface parking lots.

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Attachments:

- ~ Downtown Parking Map
- ~ Arrest, Citation and Field Interview Data
- ~ References to Other City's Parking Lot Ordinances