



CITY OF COMMERCE AGENDA REPORT

TO: Honorable City Council **Item No.** _____

FROM: City Manager

SUBJECT: Proposed NO OVERNIGHT PARKING and NO DWELLING Sign Installations along Additional Streets Negatively Impacted by Public Safety and Health Hazard Issues Related to Excessive Overnight Parking in the City of Commerce

MEETING DATE: August 5, 2019

RECOMMENDATION:

Approve the proposed “NO OVERNIGHT PARKING” and “NO DWELLING” sign installations along additional selected streets in the City of Commerce, in order to more comprehensively eliminate public safety issues due to excessive overnight parking on certain streets.

BACKGROUND:

On July 3, 2018, the City Council passed Resolution No. 18-94, approving the proposed “NO OVERNIGHT PARKING” sign installations along an enumerated list of streets in the City of Commerce, in order to eliminate public safety issues due to excessive overnight parking.

Subsequent to the passage of Resolution No. 18-94, City staff identified additional selected streets in the City of Commerce experiencing an increased number of vehicles parking for an excessive period of time, and therefore creating additional public safety and public nuisance concerns.

DISCUSSION:

Over the last several years, the City of Commerce (City) has experienced a systemic increase in the number of vehicles parking for an excessive period of time on certain streets adversely impacting the public safety and hygiene of those same streets and the overall neighborhood. The amount of trash and waste generated by these vehicles can also pose a serious public health hazard. There are also increased reports to the City of theft and burglaries in surrounding residential and commercial properties, immediately adjacent to the areas where excessive overnight parking is occurring. The amount of City resources required to continuously respond to and address this public nuisance has been extraordinary.

Community residents and business proprietors have voiced serious concerns with the conditions described above. Staff investigated the situation and previously proposed the

installation of “NO OVERNIGHT PARKING” signs at streets that are highly impacted in order to help alleviate the situation before reaching a critical point.

ANALYSIS:

Most recently, City staff has identified additional streets experiencing these public safety issues, and is seeking authorization to install additional “NO OVERNIGHT PARKING” and also “NO DWELLING” signs on additional designated streets that are highly impacted and susceptible to excessive parking. Those streets are listed in the attached proposed Resolution.

The City has authority to install traffic or parking-related signs pursuant to Commerce Municipal Code Section 10.44.030, which states: “The City Administrator, City Engineer, or Director, are hereby authorized to determine, establish, maintain, modify, and eliminate by appropriate traffic control devices, including signs, or by paint upon the curb surface, all no stopping zones, no parking areas, and restricted parking areas, as defined and described in this title. When the curb markings or traffic control devices, including signs, are in place, no operator of any vehicle shall stop, stand or park a vehicle adjacent to any legible curb marking or traffic control devices or sign in violation of any of the provisions of this title [Title 10, Vehicles, Traffic and Parking of the Commerce Municipal Code].”

Further, Commerce Municipal Code Section 10.44.140 – “Unlawful parking of vehicles, including vehicles parked, stopped or standing on public right-of-ways that are used for dwelling purposes” provide the City with the authority to establish time limit parking restrictions. Said sections state in pertinent part:

(a) No person shall park, stop or stand, or allow to park, stop or stand, or permit to remain for a period longer than two (2) hours on any street, alley, highway, public way, or public place, any trailer, semi-trailer, or bus (all as defined in the Vehicle Code), or any mobile home or recreational vehicle, or any truck used primarily for business or commercial hauling and of a weight in excess of three quarters (3/4) ton capacity, unless such person has a written authorization or approval from the law enforcement agency, Director, City Administrator, and/or their designees. Notwithstanding the two (2) hour permissible maximum parking period allowed for in this section, said vehicle is required to adhere to all other applicable traffic and parking regulations as enumerated in this title, code and Vehicle code, unless explicitly exempted.

(b) No person shall park, allow to park or stand, or permit to park or stand any of the following vehicles: (1) trailer, (2) semi-trailer, (3) bus (all as defined in the Vehicle code), (4) mobile home, (5) recreational vehicle, or (6) any vehicle which is capable of greater than 1500 pounds (3/4 ton) cargo capacity on any street, alley, highway, public way, or public place between the hours of 2:00 A.M. and 6:00 A.M. of any day.

(c) Except as otherwise provided by statute, ordinance, resolution, permit, regulation, policy or other authorization by the city, no person shall park, stop, stand, or cause, allow or permit to park, stop, or stand, any vehicle, including mobile homes and recreational vehicles, used for dwelling purposes, in the streets, highways, alleys, public ways, public places, areas, or portions thereof.

ATTACHMENT 1

Additionally, Commerce Municipal Code Section 10.44.190(a) states in part that “No person shall stop, stand or park a vehicle on any street between the hours of 2:00 A.M. and 6:00 A.M. of any day. The City Administrator, City Engineer or the Director, or their designees, shall cause the corresponding signs to be installed specifying the limitation on overnight parking before this provision may be enforced.”

Therefore, Staff is proposing that the following NO OVERNIGHT PARKING and NO DWELLING signs be installed along the streets explicitly enumerated below and in the attached Resolution to prohibit parking between the daily hours of 2:00 A.M. to 6:00 A.M., and also to prohibit the parking of vehicles for the purpose of dwelling, in order to counteract the current excessive parking and public safety issues at the most impacted Commerce streets.



The designated streets specifically enumerated below, represent the highest impact of excessive parking during both the day and evening hours. It is hoped that by restricting or prohibiting overnight parking, it will discourage the practice along these streets, of individuals habitually overstaying and discharging trash onto the City’s public right-of-way.

1. Telegraph Road (from Washington Blvd. to Garfield Ave.)
2. Garfield Avenue (from north City limit to Randolph St.)
3. Bandini Boulevard (from Garfield Ave. to Greenwood Ave.) *[south side only]*
4. Slauson Avenue (from Los Angeles River to Telegraph Rd.)
5. Zambrano Street (from Slauson Ave. to Rickenbacker Rd.)
6. Rickenbacker Road (from Eastern Ave. to Zambrano St.)
7. Alexander Street (from Slauson Ave. to Rickenbacker Rd.)
8. Ferguson Drive (from Westside Dr. to Saybrook Ave.)
9. Sydney Drive (from Triggs St. to Noakes St.)
10. Herbert Avenue (from Noakes St. to City limit)

The parking time restriction, in this case 2:00 A.M. to 6:00 A.M., and also the no dwelling restriction have been determined so as to allow parking during the evenings for both residents and businesses, but in addition to prevent vehicle owners from parking overnight and creating public safety and health hazards. California Vehicle Code Sections 22507 and 22507.5, and case law such as *Homes on Wheels v. City of Santa Barbara* (2004) 119 Cal.App.4th 1173, confirm the City’s authority to restrict the parking of vehicles on certain streets, during all or certain hours of the day, including but not limited to, between the hours of 2:00 A.M. and 6:00 A.M.

For the following streets, only NO DWELLING signs are to be installed due to the fact that residential parking is limited in these areas and overnight parking must be made available for those residents who reside along these streets:

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1. Harbor Street (from Eastern Ave. to Commerce Way)
2. Strong Avenue (from Jillson St. to Harbor St.)
3. Triggs Street (from Sydney Dr. to Duncan Ave.) *[underneath I -710 bridge]*

The installation of these signs will also better effectuate overall vehicular and pedestrian safety by removing excess vehicles from parking and to open up spaces to allow for better sight distance as vehicles are entering and exiting both the streets and driveways. Upon the installation of these signs, parking enforcement officers will have the discretion to cite or tow alleged violators.

Public Works staff will analyze and make certain that these signs are installed properly and that they conform to all rules and regulations pertaining to sign installation, such as the California Manual on Uniform Traffic Devices (CA MUTCD).

The overnight parking restrictions being proposed along the streets previously mentioned will not adversely impact the parking supply. The supply of parking will remain the same with the only exception of prohibiting parking between the overnight hours of 2:00 A.M. to 6:00 A.M. Outside of those hours, the public is allowed to park along those streets, unless restricted due to street sweeping.

ALTERNATIVES:

1. Approve staff recommendation
2. Reject staff recommendation
3. Provide staff with further direction

FISCAL IMPACT:

The cost for the fabrication and installation of these additional signs, including all material and labor, is estimated to be approximately \$160,000. These funds are to be secured from Measure AA, and funds are adequate for this purpose.

RELATIONSHIP TO STRATEGIC GOALS:

This item relates to Council's 2016 Strategic Action Plan's:

Community Quality of Life

- Guiding Principle 4 to "support and evaluate community services, programs and events that promote healthy and quality lifestyles for our residents. Enhance public safety and social services through innovative programs that meet the needs of the residential and business communities."

ATTACHMENT:

Resolution

Recommended by/Respectfully submitted: Edgar P. Cisneros, City Manager
Fiscal Impact reviewed by: Vilko Domic, Director of Finance
Approved as to form by: Norma Copado, Assistant City Attorney

RESOLUTION NO. 19-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE APPROVING THE PROPOSED INSTALLATION OF “NO OVERNIGHT PARKING” AND “NO DWELLING” SIGNS ALONG DESIGNATED HIGHLY IMPACTED STREETS

WHEREAS, the City of Commerce (City) has experienced a systemic increase in the number of vehicles parked for an excessive period of time along numerous streets throughout Commerce; and

WHEREAS, the City is experiencing numerous vehicles parked overnight within the public rights-of-way, often causing parking shortages for residents and businesses, creating unsanitary conditions, increasing noise levels, growing incidences of vehicular graffiti and crime, and creating visual obstacles that obstruct sight distance for vehicles and pedestrians; and

WHEREAS, in some instances the vehicles parking overnight in the City are used for human habitation resulting in the improper disposal of trash and waste, and in which this excess trash and waste have been frequently found around these vehicles, posing both a public nuisance and public health hazard; and

WHEREAS, the City Council has elected to take action by installing parking restriction and no dwelling signs at along selected highly impacted streets within the City; and

WHEREAS, on July 3, 2018, the City Council passed Resolution No. 18-94, approving the proposed “NO OVERNIGHT PARKING” sign installations along an enumerated list of streets in the City of Commerce, in order to eliminate public safety issues due to excessive overnight parking; and

WHEREAS, subsequent to the passage of Resolution No. 18-94, City staff identified additional selected streets in the City of Commerce experiencing an increased number of vehicles parking for an excessive period of time, and therefore creating additional public safety and public nuisance concerns; and

WHEREAS, pursuant to Commerce Municipal Code Section 10.44.030, the City Manager has the power and duty to place and maintain, or cause to be placed and maintained, parking and traffic signs when and as required to make effective the provisions of the Commerce Municipal Code, including Chapter 10.44, which regulates the installation and maintenance of such signs; and

WHEREAS, pursuant to Commerce Municipal Code sections 10.44.140 and 10.44.190(a), the City is authorized to install signs indicating no dwelling and also to establish time limit parking restrictions. Both NO DWELLING and NO OVERNIGHT PARKING (between the hours of 2:00 A.M. and 6:00 A.M.) signs are to be installed on the following designated streets:

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1. Telegraph Rd. (from Washington Blvd. to Garfield Ave.)
2. Garfield Ave. (from north City limit to Randolph St.)
3. Bandini Blvd. (from Garfield Ave. to Greenwood Ave.) [*south side only*]
4. Slauson Ave. (from Los Angeles River to Telegraph Rd.)
5. Zambrano St. (from Slauson Ave. to Rickenbacker Rd.)
6. Rickenbacker Rd. (from Eastern Ave. to Zambrano St.)
7. Alexander St. (from Slauson Ave. to Rickenbacker Rd.)
8. Ferguson Dr. (from Westside Dr. to Saybrook Ave.)
9. Sydney Dr. (from Triggs St. to Noakes St.)
10. Herbert Ave. (from Noakes St. to City limit)

WHEREAS, pursuant to Commerce Municipal Code sections 10.44.140, the City is authorized to install signs indicating no dwelling, and only NO DWELLING signs are to be installed on the following designated streets in order to allow for overnight parking for residents:

1. Harbor St. (from Eastern Ave. to Commerce Way)
2. Strong Ave. (from Jillson St. to Harbor St.)
3. Triggs St. (from Sydney Dr. to Duncan Ave.) [*underneath I -710 bridge*]

WHEREAS, California Vehicle Code Sections 22507 and 22507.5, and case law such as *Homes on Wheels v. City of Santa Barbara* (2004) 119 Cal.App.4th 1173, confirm the City's authority to restrict the parking of vehicles on certain streets, during all or certain hours of the day, including but not limited to, between the hours of 2 a.m. and 6 a.m.; and

WHEREAS, signs are to be installed properly and conform to all rules and regulations pertaining to the California Manual on Uniform Traffic Devices (CA MUTCD), the California Vehicle Code (CVC), and the Commerce Municipal Code (CMC); and

WHEREAS, per CMC section 10.44.030, the City Manager is authorized to place parking control signs when deemed necessary; and

WHEREAS, the estimated cost of \$160,000 for the sign installations will be secured by appropriating funds from Measure AA, which has adequate funds to cover these costs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. The recitals set forth hereinabove are incorporated herein and by this reference are made part of the findings.

Section 2. City Council approves the proposed no dwelling and no overnight parking sign installations along the aforementioned streets and their time limit parking prohibitions, consistent with sections 10.44.140 and 10.44.190(a) of the Commerce Municipal Code.

ATTACHMENT 1

Section 3. Funds will be appropriated in the estimated amount of \$160,000 from Measure AA in order to defray the costs of fabricating and installing said overnight parking restriction signs.

PASSED, APPROVED and ADOPTED this 5th day of August 2019.

John Soria, Mayor

ATTEST:

Lena Shumway, City Clerk