



# Council Agenda Report

To: Mayor Pierson and the Honorable Members of the City Council

Prepared by: Susan Dueñas, Public Safety Manager

Approved by: Reva Feldman, City Manager

Date prepared: April 9, 2021 Meeting date: April 26, 2021

Subject: Parking Citation Penalties

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**RECOMMENDED ACTION:** 1) Conduct the Public Hearing; and 2) Adopt Resolution No. 21-21 amending the City's Schedule of Parking Citation Penalties, repealing Resolution No. 20-59, and finding the action to be exempt from the California Environmental Quality Act.

**FISCAL IMPACT:** In Fiscal Year 2019-2020, the City received approximately \$1.2 million in revenue from parking citations. Based on the citation revenue received in Fiscal Year 2019-2020, if the new fees are approved, the City could potentially receive between \$100,000 to \$200,000 in additional revenue.

**WORK PLAN:** This item was not included in the Adopted Work Plan for Fiscal Year 2020-2021. It is a part of normal staff operations.

**DISCUSSION:** On November 23, 2020, the Council adopted Resolution No. 20-59 amending the City's schedule of Parking Citation Penalties and repealing Resolution No. 15-09. However, the Resolution only listed Los Angeles County Vehicle and Traffic Codes and did not apply the fine increases to the corresponding California Vehicle Code (CVC). While the Sheriff's Volunteers on Patrol (VOP) typically use the County codes when writing parking citations, Sheriff's Deputies frequently use the CVC for certain infractions, including the following:

CA Vehicle Code	Description	Current Fee	Proposed Fee
22505(b)	Failure to Obey Signs	63.00	73.00
22502, 22502 (a)	Parking Wrong Side of Street	35.00	58.00
22500 (e)	Parking Driveway	53.00	73.00
22500 (f)	Vehicles on Sidewalk	53.00	73.00

Therefore, to ensure that the newly adopted parking fines are applied to CVC citations as well, staff recommends that Council adopt Resolution No. 21-21 to include these CVC references.

ATTACHMENTS:

1. Resolution No. 21-21
2. Public Hearing Notice

RESOLUTION NO. 21-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU AMENDING CITY'S SCHEDULE OF PARKING CITATION PENALTIES, REPEALING RESOLUTION NO. 20-59, AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. Pursuant to California Vehicle Code section 40203.5, Malibu Municipal Code section 10.12.060 states that parking penalties shall be established by resolution of the City. These penalties are detailed in the City's Parking Penalty Schedule (Schedule) for violations of that ordinance. The Schedule indicates the related Los Angeles County Code Section and, where appropriate, the California Vehicle Code as referenced.

B. At its Regular meetings on November 23, 2020, the City Council approved Resolution No. 20-59 which revised the City's Parking Penalty Schedule for nine Los Angeles County Vehicle and Traffic Codes.

C. The City was subsequently informed that Los Angeles County Sheriff's Department Deputies also use California Vehicle Codes when issuing a citation, including the following:

<u>CVC</u>	<u>Description</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
22505 (b)	Failure to Obey Signs	\$63.00	\$73.00
22502 and 22502 (a)	Parking Wrong Side of Street	35.00	58.00
22500 (e)	Parking Driveway	50.00	73.00
22500 (f)	Vehicles on Sidewalk	40.00	73.00

SECTION 2. The City of Malibu hereby repeals Resolution No. 20-59.

SECTION 3. The Schedule of Parking Citation Penalties attached hereto as Exhibit 1 was amended to include these four CVC sections and is hereby adopted.

SECTION 4. City staff has determined that the amendment to the City's Schedule of Parking Citation Penalties is statutorily exempt from environmental review under California Public Resources Code section 21080(b)(8) and California Environmental Quality Act implementing guidelines, Title 14 of the California Code of Regulations section 15273 and section 15061(b)(3).

SECTION 5. This resolution shall become effective immediately upon its passage and adoption, except that the penalties set forth in the official Base and Late Fine Schedule for Parking Violations shall take effect as citations are printed giving notice of the new fine amounts.

SECTION 6. The City Clerk shall certify adoption of this resolution and shall cause the same to be processed in the manner provided by law.

PASSED, APPROVED, and ADOPTED this 26th day of April 2021.

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MIKKE PIERSON, Mayor

ATTEST:

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KELSEY PETTIJOHN, Acting City Clerk  
(seal)

APPROVED AS TO FORM:

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JOHN COTTI, Interim City Attorney

# Exhibit 1

LA COUNTY CODE (MC)/ CA VEHICLE CODE (CVC)		Base Fine	Late Fine	10% Additional Assessment	Notes:
15.20.070MC	FAILURE TO OBEY SIGNS	73.00	73.00		Increased fine from \$58 to \$73
15.20.130MC	PARKING SPACE MARKINGS	53.00	53.00		Increased fine from \$48 to \$53
15.44.140MC	PARKING AREAS - PLACEMENT OF VEHICLE	53.00	53.00		Increased fine from \$48 to \$53
15.48.050MC	VEHICLE EXCEEDING 6,000 POUNDS	53.00	53.00		
15.48.060MC	VEHICLE EXCEEDING 14,000 POUNDS/POSTED	53.00	53.00		
15.52.040MC	BICYCLE LANES/UNAUTHORIZED PARKING	48.00	48.00		
15.64.010MC	STOPPING PROHIBITED PARKING TIME LIMITS	48.00	48.00		
15.64.020MC	PARKING LOADING ZONES (COMMERCIAL)	53.00	53.00		
15.64.030MC	PARKING TIME LIMIT (POST OFFICE)	48.00	48.00		
15.64.040MC	PARKING AT MAIL BOX	48.00	48.00		
15.64.052MC	NO COMMERCIAL PARKING IN RESIDENTIAL/OVER 10,000 LBS	53.00	53.00		
15.64.055MC	NO COMMERCIAL PARKING 10AM-6PM/SIGN POSTED	53.00	53.00		
15.64.060MC	PARKING OVERNIGHT	53.00	53.00		
15.64.080MC	PARKING LIMIT/SPECIAL LOCATION	48.00	48.00		
15.64.100MC	PARKING DISCONNECTED TRAILER	53.00	53.00		
15.64.110MC	BUS LOADING ZONE	263.00	263.00		
15.64.120MC	PARKING IN PASSENGER ZONE	53.00	53.00		
15.64.130MC	NO PARKING - ALLEYS	53.00	53.00		
15.64.140MC	TEMPORARY NO PARKING	73.00	73.00		Increased fine from \$53 to \$73
15.64.210MC	KEY IN IGNITION/UNATTENDED VEHICLE	48.00	48.00		
15.64.220MC	PARKING ON GRADES	48.00	48.00		
15.64.230MC	PARALLEL PARKING OVER 18 IN. FROM CURB	48.00	48.00		
15.64.240MC	ANGLE PARKING	48.00	48.00		
15.64.250MC	DOUBLE PARKING	53.00	53.00		
15.64.260MC	NO PARKING ANYTIME	73.00	73.00		Increased fine from \$53 to \$73
15.64.270MC	PARKING IN PRIVATE/PUBLIC PROPERTY W/O CONSENT	53.00	53.00		
15.64.280MC	PARKING WRONG SIDE OF STREET	58.00	58.00		Increased fine from \$53 to \$58
15.64.290MC	PARKING IN PARKWAY	53.00	53.00		
15.64.300MC	BLOCKING STREET	53.00	53.00		
15.64.310MC	PARKING VEHICLE TRANSPORTING HAZARD MATERIAL	363.00	363.00		
15.64.320MC	PARKING DRIVEWAY	73.00	73.00		Increased fine from \$53 to \$73
15.64.330MC	PARKING IN INTERSECTION	53.00	53.00		
15.64.340MC	PARKING VEHICLE FOR SALE	53.00	53.00		
15.64.350MC	PARKING SPECIAL HAZARD	53.00	53.00		
15.64.360MC	PARKING ADJACENT TO SCHOOL	53.00	53.00		
15.64.370MC	PARKING FIRE HYDRANT	83.00	83.00		Increased fine from \$68 to \$83
15.64.390MC	PARKING ASSIGNED PARKING SPACES	53.00	53.00		
15.64.400MC	HANDICAPPED PARKING/ON STREET	338.00	338.00		
15.64.410MC	HANDICAPPED PARKING/OFF STREET	338.00	338.00		

LA COUNTY CODE (MC)/ CA VEHICLE CODE (CVC)		Base Fine	Late Fine	10% Additional Assessment	Notes:
15.64.440MC	TAXICAB STANDS	33.00	33.00		
15.64.470MC	PARKING METERS	33.00	33.00		
15.64.480MC	OBSERVANCE OF PARKING METERS	33.00	33.00		
15.64.490MC	PARKING METERS FEE REQUIRED	33.00	33.00		
15.64.700MC	PREFERENTIAL PARKING DISTRCIT/NO PERMIT	53.00	53.00		
15.76.080MC	VEHICLES ON SIDEWALK	73.00	73.00		Increased fine from \$53 to \$73
15.76.120MC	REPAIRING VEHICLES ON STREET	53.00	53.00		
15.76.130MC	WASHING VEHICLES ON STREET	53.00	53.00		
17.04.370MC	PARKS/UNAUTHORIZED PARKING	53.00	53.00		
17.12.130MC	VEHICLE PARKED ON BEACH	63.00	63.00		
17.12.190MC	MUTILATE/DESTROY PLANTS/TREES	53.00	53.00		
17.12.230MC	BEACHES/UNAUTHORIZED PARKING	48.00	48.00		
21113(A)CVC	UNLAWFUL PARKING PUBLIC GRNDS	53.00	53.00		
21210CVC	BICYCLE PARKING	18.00	18.00		
22500(A)CVC	PARKING WITHIN INTERSECTION	53.00	53.00		
22500(B)CVC	PARKING ON CROSSWALK	53.00	53.00		
22500(C)CVC	PARKING SAFETY ZONE AND RED CURB	73.00	73.00		Increased fine from \$53 to \$73
22500(D)CVC	PARKING FIRE STATION ENTRANCE	68.00	68.00		
22500(E)CVC	BLOCKING DRIVEWAY	73.00	73.00		Increased fine from \$53 to \$73
22500(F)CVC	PARKING ON SIDEWALK	73.00	73.00		Increased fine from \$53 to \$73
22500(G)CVC	PARKING ALONG EXCAVATION	53.00	53.00		
22500(H)CVC	DOUBLE PARKING	53.00	53.00		
22500(I)CVC	PARKING IN BUS ZONE	263.00	263.00		
22500(J)CVC	PARKING IN TUNNEL	53.00	53.00		
22500(K)CVC	PARKING ON BRIDGE	53.00	53.00		
22500(L)CVC	BLOCKING DISABLED ACCESS RAMP	258.00	258.00		
22500.1CVC	PARKING IN FIRE LANE	68.00	68.00		
22502(A)CVC	PARKING OVER 18 IN FROM RIGHT-HAND CURB/BIKEWAY	53.00	53.00		
22502(E)CVC	CURB PARKING ONE-WAY ROADWAY	53.00	53.00		
22502CVC	PARALLEL PARKING AND 18 IN CURB	53.00	53.00		
22504(A)CVC	UNINCORPORATED AREA PARKING	58.00	58.00		
22505(B)CVC	STATE HIGHWAY PARKING - FAILURE TO OBEY SIGNS/MARKINGS	73.00	73.00		Increased fine from \$53 to \$73
22507.8(A)CVC	HANDICAPPED PARKING ON STREET	438.00	438.00	43.80	
22507.8(B)CVC	HANDICAPPED PARKING OFF STREET	438.00	438.00	43.80	
22507.8(C){2}CVC	HANDICAPPED/CROSSHATCHED	438.00	438.00	43.80	
22507.8(C)CVC	HANDICAPPED PARKING BOUNDARIES	438.00	438.00	43.80	
22513CVC	TOW CARS-PARKING ON FREEWAY	53.00	53.00		
22514CVC	FIRE HYDRANTS	68.00	68.00		
22515CVC	UNATTENDED VEHICLES	53.00	53.00		
22516CVC	LOCKED DOOR/NO ESCAPE	48.00	48.00		
22517CVC	VEHICLES DOOR OPEN TO TRAFFIC	68.00	68.00		
22520CVC	STOPPING ON FREEWAY	43.00	43.00		
22522CVC	PARKING NEAR SIDEWALK ACCESS RAMP	288.00	288.00	28.80	

LA COUNTY CODE (MC)/ CA VEHICLE CODE (CVC)		Base Fine	Late Fine	10% Additional Assessment	Notes:
22523(A)(B)CVC	ABANDONMENT PROHIBITED	113.00	113.00		
22523(B)CVC	ABANDONED VEHICLE ON FREEWAY	113.00	113.00		
22526CVC	ANTI-GRIDLOCK ACT	68.00	68.00		
22526(2ND)CVC	2ND OFFENSE ANTI-GRIDLOCK ACT	113.00	113.00		
22526(3RD)CVC	3RD OFFENSE ANTI-GIRDLOCK ACT	263.00	263.00		
22654(E)CVC	BLOCKING EMERGENCY	41.00	41.00		
22951CVC	PARKING LOT-STREET AND ALLEY PARKING	48.00	48.00		
23333CVC	STOPPING/PARKING-VEHICULAR CROSSING	45.00	45.00		
25300(C)(E)CVC	WARNING DEVICE/DISABLED/PARKED VEHICLE	45.00	45.00		
26708(A)(1)CVC	MATERIAL OBSTRUCTING OR REDUCING DRIVER'S VIEW	68.00	68.00		
26708.5CVC	TRANSPARENT MATERIALS	38.00	38.00		
26710CVC	DEFECTIVE WINDSHIELDS/REAR WINDOW	38.00	38.00		
27155CVC	FUEL CAP REQUIRED	38.00	38.00		
31303(D)CVC	PARKING HAZARD WASTE IN RESIDENTIAL DISTRCIT	363.00	363.00		
4000(A)CVC	EXPIRED REGISTRATION	63.00	63.00		
4152.5CVC	FAILURE TO APPLY FOR REGISTRATION	38.00	38.00		
4454(A)CVC	REGISTRATION CARD	38.00	38.00		
4457CVC	MULTILATED/ILLEGIBLE LICENSE PLATES/TABS	38.00	38.00		
4462(B)CVC	INCORRECT REGISTRATION ON CAR	38.00	38.00		
4464CVC	ALTERED LICENSE PLATE	38.00	38.00		
5200CVC	DISPLAY OF LICENSE PLATE	38.00	38.00		
5201CVC	POSITION OF PLATES	38.00	38.00		
5201(B)CVC	PLATES CLEARLY VISIBLE	38.00	38.00		
5201(C)CVC	LICENSE PLATE COVERED	38.00	38.00		
5201.1CVC	OBSCURING READABILITY OF LICENSE PLATES	250.00	250.00		
5202CVC	PERIOD OF DISPLAY	38.00	38.00		
5204(A)CVC	NO CURRENT TAGS ON VEHICLE	73.00	73.00		
40206.5CVC	COPY OF NOTICE OF PARKING VIOLATION	2.00	-		

**NOTICE OF PUBLIC HEARING  
CITY OF MALIBU  
CITY COUNCIL**

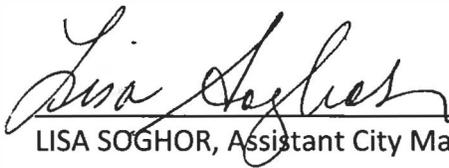
The Malibu City Council will hold a public hearing on Monday, April 26, 2021 at 6:30 p.m. regarding increasing some California Vehicle Code parking citation penalties. The Public hearing will be held via the Zoom application only in order to reduce the risk of spreading COVID-19 and pursuant to the Governor's Executive Orders N-25-20 and N-29-20 and the County of Los Angeles Public Health Officer's Safer at Home Order (revised February 18, 2021). Consistent with the requirement of Government Code section 66016, data on costs and revenue sources relating to the fee will be available on the City's website 10 days prior to the meeting.

HOW TO VIEW THE MEETING: No physical location from which member of the public may observe the meeting and offer public comment will be provided. Please view the meeting, which will be live streamed at <https://malibucity.org/video> and <https://malibucity.org/VirtualMaeting>.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence to [citycouncil@malibucity.org](mailto:citycouncil@malibucity.org) before the meeting begins.

HOW TO PARTICPATE DURING THE MEETING: Members of the public may speak during the meeting through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Mayor and then you must be present in the Zoom conference to be recognized.

If there are any questions regarding this notice, please contact Susan Dueñas, Public Safety Manager, at (310) 456-2489, ext. 313.

  
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LISA SOGHOR, Assistant City Manager

Publish Date: April 15 and 22, 2021