


Agenda Report Reviewed by:  
 City Manager: 

**CITY OF SEBASTOPOL  
 CITY COUNCIL  
 AGENDA ITEM**

**Meeting Date:** April 19, 2022  
**To:** Honorable Mayor and City Councilmembers  
**From:** Chief of Police Kevin Kilgore  
**Subject:** Update to Resolution 5813 - Resolution of the City Council of the City of Sebastopol To Establish Parking Violation Fines  
**Recommendation:** That the Council Adopt the Updated Resolution  
**Funding:** Currently Budgeted: \_\_\_\_\_ Yes \_\_\_\_\_ No  X  N/A

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

**INTRODUCTION/PURPOSE:**

The item is for City Council to rescind Resolution 5813 and approve Resolution XXXX regarding parking fines associated with parking violations within the City of Sebastopol.

**Background:**

In 1992, the State Legislature decriminalized parking offenses, reclassifying them as civil violations. By law, cities were required to transition their method of processing parking citations prior to January 1, 1994. On June 15, 1993, the Sebastopol City Council passed Resolution 4540 setting forth the method of issuing and processing parking violation notices and setting the fines associated. On August 3, 2010, the Sebastopol City Council passed Resolution 5813, approving an increase to each parking fine by \$5.00. This was the first increase in parking fines made by the City of Sebastopol in 17 years.

Since the last increase more than 11.5 years ago, county and processing fees have continued to rise, thus creating a deficit to the City because the county and processing fees are greater than the associated fines. After county and processing fees were deducted, the City was invoiced for those fees and paid \$820.42 resulting in a net loss for the City.

Presently, parking violations are classified into five categories:

- Category I: Expired Meter (\$20.00 fine)
- Category II: Timed Parking (1-hour, 2-hour, 3-hour, etc.) (\$25.00)
- Category III: Loading Zone and Reserved Parking (\$30.00)
- Category IV: Red Zone, Double Parking, Parking in Crosswalk (\$40.00)
- Category V: Handicap Parking

City of Sebastopol parking fines are significantly lower compared to other Sonoma County cities (see attached fine schedule comparison).

**Discussion:**

In order to provide our downtown business district and other areas of the City an ability to welcome many people as guests and patrons, we must mitigate stagnancy created by vehicles parking beyond the allotted times and outside the parameters set by our Sebastopol Municipal Code.

Since 2010, when the City of Sebastopol last raised their parking fines, the Consumer Price Index (CPI) has risen 23.7%. Additionally, the county and private service processing fees have increased over the last 11.5+ years as the cost of doing business has risen significantly.

Based on the comparison with other Sonoma County cities, staff recommends the City of Sebastopol's parking fine structure be modified as follows and authorizes the City Manager to increase the following fines annually in accordance with the CPI and make any annual adjustment to fines, not to exceed a \$50.00 difference for each category fine, as necessitated by county and private service processing fee increases:

Category I:	Current \$20.00	Proposed \$40.00
Category II:	Current \$25.00	Proposed \$50.00
Category III:	Current \$30.00	Proposed \$60.00
Category IV:	Current \$40.00	Proposed \$80.00
Category V:	Current \$275.00	Proposed \$425.00

This fine increase would deter illegal parking and mitigate the City from incurring a net loss as a result of paying more for county and processing fees than what is actually being generated from the citations.

**GOALS:**

This action supports the following City Council Goals and General Plan Actions:

5.1: Expand and Encourage Community Involvement in the Government Process by Increasing the Public's Understanding of local Government Operations and Increasing Interaction with Elected Officials

5.3.3 Encourage and increase public awareness of City Policies, decisions, programs and all public processes and meetings, by investigating effective methods of communication and obtaining feedback from the community.

Goal CSF 6, Policy CSF 6-1: Continue to maximize public participation in local government actions and maintain excellent levels of City government service.

**PUBLIC COMMENT:**

As of the writing of this staff report, the City has not received any public comment. However, staff anticipates receiving public comment from interested parties following the publication and distribution of this staff report. Such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of the agenda item.

**PUBLIC NOTICE:**

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

**FISCAL IMPACT:**

There is no fiscal impact associated with rescinding Resolution 5813 and adopting Resolution XXXX as presented to the Council tonight.

**RECOMMENDATION:**

Staff recommends the City Council rescind Resolution 5813 and adopt Resolution XXXX as written.

**Attachments:**

- Resolution No. XXXX Draft
- Resolution No. 4540
- Resolution No. 5813
- Fine Comparison Sheet

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL  
TO ESTABLISH PARKING VIOLATION FINES

WHEREAS, the City of Sebastopol last modified parking violation fees in 2010, and

WHEREAS, the Consumer Price Index has risen 23.7 percent since 2010, and

WHEREAS, the purpose of parking violations fines is to deter illegal parking, and

WHEREAS, the City of Sebastopol's parking fines are, with few exceptions, the lowest in Sonoma County.

NOW THEREFORE BE IT RESOLVED that he City of Sebastopol City Council approves setting the parking violation fines for parking violations and penalties as listed below:

- 1. Category I: \$50.00
- Category II: \$55.00
- Category III: \$60.00
- Category IV: \$80.00
- Category V: \$425.00
- 2. Authorizes the City Manager to increase the above the fines annually in accordance with the Consumer Price Index

WHEREAS, the City Council of the City of Sebastopol, California, wishes to rescind Resolution Number 5813, setting parking fines and penalties; and

PASSED AND ADOPTED, by the CITY COUNCIL of THE CITY OF SEBASTOPOL, COUNTY OF SONOMA, of STATE OF CALIFORNIA on this 19<sup>th</sup> day of April, 2022.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by City of Sebastopol City Council following a roll call vote:

**VOTE:**

Ayes:

Noes:

Absent:

Abstain:

APPROVED:

Mayor Patrick Slayter

ATTEST: \_\_\_\_\_

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:

Larry McLaughlin, City Attorney

RESOLUTION NO. 4540

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SEBASTOPOL ASSUMING THE AUTHORITY  
TO PROCESS AND ADJUDICATE PARKING CITATIONS  
AND ESTABLISHING PARKING CITATION FINES,  
FEES AND SURCHARGES

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WHEREAS, in 1992 the Legislature passed AB 408 which made amendments to the Vehicle Code which changed the method of collecting penalties for violation of State statutes and local ordinances governing the parking of vehicles; and

WHEREAS, AB 408 provides that, effective July 1, 1993, any violation of an unlawful standing or parking provision of the law shall be subject to a civil penalty schedule established by the governing body of the jurisdiction in which the notice of parking violation is issued, and that the enforcement of those penalties shall be governed by a revised civil procedure, including an administrative investigation and review procedure and an administrative and judicial appeal process; and

WHEREAS, AB 408 authorizes the City to recover administrative fees, process service fees and collection costs related to civil debt collection, late payment penalties and other related charges; and

WHEREAS, AB 408 requires the City to include penalties imposed by the State and County of Sonoma for jail and court house construction, in accordance with Government Code Sections 76000 and 76101; and

WHEREAS, Section 40200.2 of the Vehicle Code requires the issuing agencies and the courts to enter into an agreement to permit the courts to phase out, and the issuing agency to phase in, the processing of notices of parking violations and notices of delinquent parking violations; and

WHEREAS, the City Council and the Sonoma County Municipal Court ("Court") have agreed to the terms of such an agreement which are reflected in the agreement attached hereto as Exhibit "A" ("Agreement"); and

WHEREAS, the provisions of AB 408, the county-wide consortium of parking citation recommendations, issuing agencies acceptance and the Court authorization of the adoption of the uniform fines; and

WHEREAS, the City will be responsible for and provide a method to collect, process, and adjudicate parking citations within the City's jurisdiction; and

WHEREAS, the Court approved the proposed Uniform Parking Fine Schedule, attached hereto as Exhibit "B", on May 28, 1993 to be effective upon the transfer of parking jurisdiction from the courts to the issuing agencies which is to take place on September 1, 1993; and

WHEREAS, until such time as the Court transfer parking jurisdiction to the issuing agencies, the City desires to adopt the schedule of parking penalties, late payment penalties, administrative fees and other related charges for parking violations that have been previously adopted by the Court; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to Vehicle Code Section 40203.5, the City of Sebastopol adopts the schedule of parking violations, late payment penalties, administrative fee and other charges that have been previously adopted by the Court, to be effective during the interim transfer period of July 1, 1993 through August 31, 1993, and establishes the fines for parking violations, late payment penalties, administrative fees and other charges set forth in the Uniform Parking Fine Schedule attached hereto as Exhibit A, attached hereto and incorporated herein, effective September 1, 1993.

BE IT FURTHER RESOLVED, that the City hereby authorizes the Mayor to execute the Agreement.

IN COUNCIL DULY ADOPTED this 15th day of June, 1993

APPROVED: *Lynne Hamilton*  
MAYOR

AYES: 4 Councilmembers Foley, Magnie, Roventini & Mayor Hamilton

NOES: 0

ABSENT: 1 Councilmember Levy

ATTEST: *Melvin K. Garcia*  
City Clerk

RESOLUTION No. 5813

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SEBASTOPOL TO ESTABLISH PARKING VIOLATION  
FINES

WHEREAS, the City of Sebastopol last modified parking violation fees in 1993, and

WHEREAS, the Consumer Price Index has risen fifty-three percent since 1993, and

WHEREAS, the purpose of parking violations fines is to deter illegal parking, and

WHEREAS, the City of Sebastopol's parking fines are, with few exceptions, the lowest in Sonoma County,

THEREFORE be it resolved that parking violation fines for the City of Sebastopol shall be set as follows:

- Category I: \$20.00
- Category II: \$25.00
- Category III: \$30.00
- Category IV: \$40.00
- Category V: As set in the California Vehicle Code.

IN COUNCIL DULY PASSED THIS 3rd DAY OF August, 2010

APPROVED:   
MAYOR SARAH GLADE GURNEY

AYES: Councilmembers Robinson, Shaffer, Kelley, Vice Mayor Wilson and Mayor Gurney

NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:   
CITY CLERK MARY GOURLEY

	City Of Sebastopol	City of Cotati	City of Petaluma	City of Sonoma	City of Healdsburg	City of Rohnert Park	Sonoma County (unincorporated)
24-min parking	\$25.00		\$48.00	\$40.00			
1-hour parking	\$25.00						\$43.00
2-hour parking	\$25.00		\$48.00	\$40.00			\$43.00
3-hour parking	\$25.00			\$40.00	\$40.00		\$43.00
Posted no parking	\$40.00		\$48.00	\$35.00	\$60.00	\$45.00	\$73.00
Red Zone	\$40.00	\$50.00	\$48.00	\$60.00	\$60.00	\$45.00	\$73.00
Parked on crosswalk	\$25.00	\$70.00	\$48.00	\$60.00		\$45.00	\$73.00
Parked blocking driveway	\$25.00	\$70.00	\$48.00	\$60.00		\$45.00	
Parked on sidewalk	\$40.00	\$70.00	\$48.00	\$60.00		\$45.00	\$73.00
obstructing traffic	\$147.00		\$48.00	\$60.00		\$45.00	\$73.00
Double parked	\$40.00	\$65.00	\$48.00	\$60.00	\$60.00	\$45.00	\$73.00
Parking in intersection	\$147.00	\$70.00	\$48.00	\$60.00		\$45.00	\$73.00
obstructing bike path	\$147.00	\$100.00	\$48.00	\$143.00		\$45.00	
Fire lane	\$147.00	\$65.00	\$48.00	\$60.00	\$60.00	\$45.00	
Parked parallel on right	\$25.00	\$45.00	\$48.00	\$60.00		\$45.00	\$43.00
Parked in roadway	\$143.00	\$35.00					
Obstructing intersection	\$40.00	\$48.00		\$60.00			\$73.00
Dis placard not displayed	\$275.00	\$360.00	\$600.00	\$350.00	\$500.00	\$350.00	\$353.00
Obstruct blue zone	\$275.00	\$380.00	\$600.00	\$350.00	\$500.00	\$350.00	\$353.00
Disabled Crosshatch	\$275.00	\$380.00	\$600.00	\$350.00	\$500.00	\$350.00	\$353.00
Parked over 18 from curb	\$25.00	\$45.00	\$40.00	\$40.00	\$40.00	\$46.00	\$43.00
15 ft of fire hydrant	\$40.00	\$70.00	\$48.00	\$60.00	\$40.00	\$45.00	\$73.00
Missing Plate(s)	\$25.00	\$45.00	\$48.00	\$40.00		\$35.00	\$43.00
reg tabs miss/exp	\$25.00	\$45.00	\$48.00	\$40.00		\$35.00	\$43.00
removal of chalk marks	\$40.00		\$48.00				
Pass loading zone	\$40.00		\$48.00				\$53.00
yellow loading zone	\$30.00		\$48.00	\$40.00	\$80.00		\$53.00
Parked over 72 hours	\$40.00	\$50.00	\$93.00		\$143.00	\$143.00	\$146.00
Reserved/ permit parking	\$30.00		\$48.00		\$40.00	\$45.00	\$53.00
Not parked in space	\$25.00	\$43.00	\$48.00	\$40.00	\$40.00		\$43.00
Diagonal parking O.O.S.	\$25.00			\$40.00	\$40.00	\$45.00	