



City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

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File ID: 2018-01526

December 18, 2018

Consent Item 23

Title: Ordinance Amending Sacramento City Code Sections 10.04.010 and 10.40.070 Relating to Definition of Legal Holidays (Passed for Publication 12/04/2018; Published 12/07/2018)

Location: Citywide

Recommendation: Adopt an Ordinance amending the definition of “legal holidays” in Section 10.04.010 of the Sacramento City Code to add more holidays when parking meter exemptions are provided under Section 10.40.070 of the Sacramento City Code.

Contact: Erika Galang, Program Specialist, (916) 808-8572; Matt Eierman, Parking Services Manager (916) 808-5849; Department of Public Works

Presenter: None

Attachments:

- 1-Description/Analysis
- 2-Holiday Comparison
- 3-Ordinance (Redline)
- 4-Ordinance (Clean)

Description/Analysis

Issue Detail: Sacramento City Code Section 10.40.070 dictates the operating days and hours of parking meters and pay stations. The current language of this section provides that meters shall not require payment on holidays. The term “legal holidays” is currently defined in Section 10.04.010 of the Sacramento City Code as the following: New Year’s Day, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas and all Sundays.

The following holidays are federal or City-observed holidays that are not defined in Section 10.04.010 as “legal holidays” when meter payment exemptions are provided under Section 10.40.070 of the Sacramento City Code:

- Martin Luther King, Jr.’s Birthday (Federal and City): Third Monday of January
- Washington’s Birthday (Federal) or President’s Day (City): Third Monday of February
- Cesar Chavez’s Birthday (City): Last Monday of March
- Veterans Day (Federal and City): November 11th

Staff recommends that the definition of “legal holidays” in Section 10.04.010 be amended to include the above-mentioned four holidays, which will provide meter payment exemptions on those dates.

Policy Considerations: There are currently six holidays and 52 Sundays a year when meter payment exemptions are provided. The City also offers an additional 32 consecutive days of meter payment exemptions each year during its Free Holiday Parking program, which starts the day after Thanksgiving and extends through Christmas Eve, at 1,761 select parking spaces within the Central City. The combination of legal holidays and the Free Holiday Parking program currently results in meter payment exemptions for up to 25% of the calendar year. Free meter holidays exempt motorists from meter payments and citations related to meter violations. All other parking regulations not related to meters are enforced and parking citations are issued for those other regulations accordingly.

Economic Impacts: Under Sacramento City Code section 10.40.130, meter revenues must be used for the proper regulation and control of traffic upon the public streets, to provide for public vehicular off-street parking facilities and to cover the cost of the supervision, inspection, installation, maintenance, control and use of the parking spaces and regulating parking of vehicles in the parking meter zones. Any loss of meter revenues may impact the funding available to provide those services.

Environmental Considerations:

California Environmental Quality Act (CEQA): This ordinance change is an administrative activity that is not considered a project pursuant to Section 15378(b)(2) of the California Environmental Quality Act (CEQA) Guidelines. Therefore, no environmental review is required.

Sustainability: Not applicable

Commission/Committee Action: The Law & Legislation Committee reviewed this item on November 13, 2018, and recommended forwarding to City Council for action.

Rationale for Recommendation: Sacramento City Code Section 10.40.070 allows meter payment exemptions on holidays. The definition of those holidays is based on specific days identified under Section 10.04.010 of the Sacramento City Code, which does not include all federal and City holidays.

Parking staff received direction to research the impact of exempting meter payments on additional holidays not currently reflected in Section 10.04.010 of the Sacramento City Code and to present its findings for consideration.

Financial Considerations: Revenues collected from parking meters are deposited into the General Fund (Fund 1001). The addition of more holidays to the list of “legal holidays” under Section 10.04.010 of the Sacramento City Code may cause a decrease of potential parking meter revenue to the General Fund at an average of \$21,000 to \$34,000 per holiday based on a two-year average of parking meter revenue generated on those specific days.

If four additional meter holidays are added, this may cause a decrease of potential parking meter revenue to the General Fund of approximately \$109,000 per year based on a two-year average of parking meter revenue generated on those specific days.

Additionally, the General Fund may be further impacted by an average annual loss of approximately \$30,000 in meter-related parking citations, based on a two-year average of meter citation revenue generated on those specific holidays.

Local Business Enterprise (LBE): Not applicable

TWO-YEAR AVERAGE OF METER REVENUE COLLECTED ON HOLIDAYS

MONTH	DAY OF MONTH	DURATION	COMPARISON OF RECOGNIZED HOLIDAYS			METER REVENUES		
			HOLIDAY	FEDERAL HOLIDAY*	CITY HOLIDAY	STATE HOLIDAY	2 Year Average	# METERS
January	1ST	1 DAY	New Year's Day	X	X	X	\$0.00	4,300
January	Third Monday	1 DAY	Martin Luther King's Birthday	X	X	X	\$24,001.00	4,300
February	Third Monday	1 DAY	Washington's Birthday**	X	X	X	\$21,266.00	4,300
March	Last Monday	1 DAY	Cesar Chavez's Birthday		X	X	\$34,199.00	4,300
May	Last Monday	1 DAY	Memorial Day	X	X	X	\$0.00	4,300
July	4TH	1 DAY	Independence Day	X	X	X	\$0.00	4,300
September	First Monday	1 DAY	Labor Day	X	X	X	\$0.00	4,300
November	11th	1 DAY	Veteran's Day	X	X	X	\$30,013.00	4,300
November	Fourth Thursday	1 DAY	Thanksgiving Day	X	X	X	\$0.00	4,300
Nov - Dec	Day after Thanksgiving - Christmas Eve	32 DAYS	Free Holiday Meters				\$0.00	1,761
December	25th	1 DAY	Christmas Day	X	X	X	\$0.00	4,300
Year-Round	Sunday	52 DAYS	Sunday				\$0.00	4,057
							\$109,479.00	

Current Free Meter Holiday Per SCC 10.04.10 & 10.40.070

*Per 5 U.S.C. 6103

** Washington's Birthday is the Federal holiday recognized on the third Monday of February. President's Day is a separate holiday (not Federally recognized) honoring Washington and Lincoln's birthdays. Washington's birthday is Feb 22nd and Lincoln's is Feb 12th.

The 1968 Congress Monday Holidays Act moved observance of Washington's birthday to the third Monday of Feb, which can only occur between Feb 15th and 21st. Due to Lincoln's birthday being close to this date, many states choose honor both Presidents by observing "President's Day" instead of "Washington's Birthday".

ORDINANCE NO.

Adopted by the Sacramento City Council
Date Adopted

AN ORDINANCE AMENDING SECTIONS 10.04.010 AND 10.40.070 OF THE SACRAMENTO CITY CODE, RELATING TO PARKING ON LEGAL HOLIDAYS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

- A. The definition of “legal holidays” in section 10.04.010 of the Sacramento City Code is amended to read as follows:

“Legal holidays” ~~are~~means New Year’s Day, Martin Luther King Jr. Day, George Washington’s Birthday, Cesar Chavez Day, Memorial Day, Independence Day (July 4th), Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day. If any of the foregoing days fall on Sunday, the Monday following is a legal holiday. All Sundays are legal holidays.

- B. The definition of “pay-by-space/pay-and-display machine” in section 10.04.010 of the Sacramento City Code is amended to read as follows:

“Pay-by-space/pay-and-display machine” or “pay station” means any mechanical/electronic device or mechanism not inconsistent with this title placed or erected for the control or regulation of multiple parking meter spaces by the authority of this title.

- C. Except as amended by subsections A and B above, all provisions of section 10.04.010 remain unchanged and in full effect.

SECTION 2.

Section 10.40.070 of the Sacramento City Code is amended to read as follows:

10.40.070 Parking meters and ~~pay by space/ pay and display machine pay stations~~ hours of operation.

Parking meters and ~~pay by space/ pay and display~~ pay stations that accept payment for the purposes of parking on the street shall be operated in the parking meter zones every day except Sundays and legal holidays between the hours of ~~eight~~ 8:00 a.m. and ~~six~~ 6:00 p.m. The parking manager may, after conducting parking surveys, determine that other hours of operation will facilitate the control of parking and may place signs indicating hours of operation on Sundays and legal holidays and other than between ~~eight~~ 8:00 a.m. and ~~six~~ 6:00 p.m.

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