



Legislation Text

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TITLE:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RATIFYING REGULATION NO. 8 ISSUED BY THE CITY MANAGER AS DIRECTOR OF EMERGENCY SERVICES REVISING REGULATION NOS. 5 AND 7 REGARDING TEMPORARY SUSPENSION OF ENFORCEMENT OF CERTAIN PARKING RESTRICTIONS IN RESIDENTIAL NEIGHBORHOODS; AND

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING REGULATION NOS. 5 AND 7 REGARDING TEMPORARY SUSPENSION OF ENFORCEMENT OF CERTAIN PARKING RESTRICTIONS IN RESIDENTIAL NEIGHBORHOODS

**DEPARTMENT: PUBLIC WORKS DEPARTMENT /TRANSPORTATION
SERVICES DIVISION**

PRESENTED BY: RAJA SETHURAMAN, PUBLIC WORKS DIRECTOR

**CONTACT INFORMATION: JENNIFER ROSALES, TRANSPORTATION SERVICES
MANAGER, (714) 754-5343, AND KIMBERLY HALL BARLOW, CITY ATTORNEY**

RECOMMENDATION:

Staff recommends the City Council:

1. Adopt Resolution No. 2022-xx, ratifying Regulation No. 8 issued by the City Manager as Director of Emergency Services revising Regulation Nos. 5 and 7 regarding temporary suspension of enforcement of certain parking restrictions during the operation of the Orange County Fair, from July 15, 2022 through August 14, 2022, in the surrounding residential neighborhoods pursuant to the City's annual temporary resident parking permit program.
2. Adopt Resolution No. 2022-xx, revising Regulation Nos. 5 and 7 regarding temporary suspension of enforcement of certain parking restrictions in residential neighborhoods to allow enforcement of the parking prohibitions related to street sweeping during posted hours.

BACKGROUND:

On January 31, 2020, the Federal Health and Human Services Secretary declared the COVID-19 global outbreak a public health emergency for the United States. The County of Orange declared a local emergency and a local health emergency on February 26, 2020. The State of California proclaimed a State of Emergency on March 4, 2020. On March 12, 2020, Governor Newsom issued Executive Order N-25-20, declaring that state and local public health officials may, as they deem necessary in the interest of public health, issue guidance limiting or recommending limitations upon attendance at public assemblies, conferences, or other mass events, which could cause the

cancellation of such gatherings through no fault or responsibility of the parties involved, thereby constituting a force majeure. On March 12, 2020, the City Manager, as the City's Director of Emergency Services, issued Proclamation No. 2020-01, declaring a local emergency to protect public health and slow transmission of COVID-19. By Resolution 2020-09, the City Council ratified the Proclamation on March 13, 2020, which remains in effect.

On March 13, 2020, the President of the United States of America declared a national emergency. Subsequent to the declaration of public health emergencies at every level of government, and the related stay-at-home orders, the City's enforcement of certain parking regulations were suspended on a temporary basis. This was done to accommodate the many residents that were required to work from home and the residents isolating at home as per doctor's orders due to underlying medical conditions.

Due to the threat to the health, safety and welfare of residents of Costa Mesa and Orange County from COVID-19, and the impacts of the Local and Regional Stay at Home Orders, on December 23, 2020, the City Manager issued Regulation No. 5, temporarily suspending the enforcement of certain residential parking restrictions, specifically for street sweeping and residential parking permit requirements. This Regulation was ratified by the City Council by Resolution No. 2021-01 on January 19, 2021.

As efforts to reopen California's economy continue, the Orange County Fair resumed in-person fair activities in 2021 and will be conducting fair activities in person this summer. Because of the tremendous impact of non-residents parking on residential streets surrounding the Orange County Fair Grounds, the City Manager, acting as Director of Emergency Services, determined that temporary parking restrictions in those residential neighborhoods is essential during the operation of the Orange County Fair due to potential effects impacting parking throughout the community. Thus, on July 12, 2022, the Director of Emergency Services issued Regulation No. 8 revising Regulation Nos. 5 and No. 7 regarding temporary suspension of enforcement of certain parking restrictions in residential neighborhoods during the operation of the Orange County Fair. The City's municipal code requires that such regulations be presented to the City Council for action as soon as practicable.

While the enforcement of parking regulations related to street sweeping were temporarily suspended by Regulation No. 5, street sweeping services continued to be provided Citywide throughout the pandemic. However, with the lack of enforcement, vehicles parked at prohibited locations resulted in impacts to street sweeping operations. In order to address the immediate health and safety concerns related to trash buildup, the City Council adopted Resolution No. 2021-34, ratifying Regulation No. 7 issued by the City Manager revising Regulation No. 5 to allow enforcement for street sweeping when the street sweeper is present.

ANALYSIS:

During the Orange County Fair, residential neighborhoods surrounding the Fairgrounds have typically been heavily impacted by non-residents attempting to use city streets in these neighborhoods to park, creating severe traffic and parking impacts to those neighborhoods. The City Manager, as Director of Emergency Services has determined that the City's annual practice of limiting parking in residential neighborhoods surrounding the Fair during operation of the Orange County Fair from July 15, 2022 through August 14, 2022 is essential to the health and safety of the residents there and elsewhere in the City. As a result, the Regulation requires modification to allow residential parking

restrictions to be enforced around the Fairgrounds during Fair operations. As a result, on July 12, 2022, the City Manager issued Regulation No. 8, to allow enforcement of residential parking restrictions during the operation of the Orange County Fair, from July 15, 2022 through August 14, 2022, in the surrounding residential neighborhoods pursuant to the City's annual temporary resident parking only permit program.

Staff is recommending that the City Council adopt Resolution No. 2022-xx, ratifying Regulation No. 8. This will allow issuance and enforcement of resident-only parking permits in neighborhoods surrounding the Fairgrounds for the duration of the Fair.

While enforcement resumed in September 2021 when the street sweeper is present, City staff continue to receive resident complaints regarding street sweepers not being able to efficiently clean city streets due to obstructions from parked vehicles. Residents have expressed concern about trash and debris getting into storm drains as a result of ineffective street sweeping operations and expressed the need for improved cleanliness along residential streets.

In addition to street sweeping during the posted hours, the City regularly does maintenance work on the streets and sidewalks during the posted hours, typically when the street sweepers are not present. Staff has determined that enforcing street sweeping violations only while the sweeper is present requires significantly greater staff time than is available, preventing street sweeping from occurring in some areas and can lead to potential National Pollutant Discharge Elimination System (NPDES) permit violations. Enforcing parking restrictions as posted only while street sweepers are present, prevents normal maintenance activities, requiring City crews to do maintenance work during other hours with temporary parking controls, which negatively affects residents' parking and public safety.

Staff is recommending the City Council adopt Resolution No. 2022-xx, revising Regulation Nos. 5 and 7 to allow enforcement of parking regulations related to street sweeping during posted hours. The City will issue notices via social media and other methods to help ensure the community is aware of this change.

ALTERNATIVES:

One alternative would be to not approve the resolutions.

However, the neighborhoods surrounding the Fairgrounds would experience significant parking impacts for the duration of the fair.

In addition, not enforcing posted parking restrictions will continue impacts to street maintenance activities and street sweepers to efficiently clean city streets due to obstructions by parked vehicles resulting in trash collecting in the storm drains, resident complaints, and accumulation of debris and garbage.

FISCAL REVIEW:

Adoption of the Resolutions are in the interest of public health and safety and is expected to be cost neutral as enforcement costs will be offset by fines.

LEGAL REVIEW:

The City Attorney's Office has reviewed this agenda report and the proposed resolutions, and approves them both as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council Goal:

- Strengthen the Public's Safety and Improve the Quality of Life

CONCLUSION:

Staff recommends the City Council:

1. Adopt Resolution No. 2022-xx, ratifying Regulation No. 8 issued by the City Manager as Director of Emergency Services revising Regulation Nos. 5 and 7 regarding temporary suspension of enforcement of certain parking restrictions during the operation of the Orange County Fair, from July 15, 2022 through August 14, 2022, in the surrounding residential neighborhoods pursuant to the City's annual temporary resident parking permit program.
2. Adopt Resolution No. 2022-xx, revising Regulation Nos. 5 and 7 regarding temporary suspension of enforcement of certain parking restrictions in residential neighborhoods to allow enforcement of the parking prohibitions related to street sweeping during posted hours.