

Bliss, Sandi

3.1

From: Jennifer Douglas <JDouglas@dpf-law.com>
Sent: Tuesday, November 19, 2019 11:35 AM
To: CityCouncilListPublic
Cc: CMOOffice
Subject: [EXTERNAL] Parking Downtown

Dear City Council and City Manager,

I saw in the PD this morning that you will be hearing from staff about the "success" of the parking meter plan. I wanted to take this opportunity to let you know that from a community perspective the parking downtown is in no way a success. Coincidentally, over the past week there has been an active stream on NextDoor.com about the downtown merchants and how best to support them. I've pasted it here, but I'm not sure it will come through.

https://nextdoor.com/news_feed/?post=128939161&comment=312656346&ct=Y0i1W9oqrcoWnssJ54s-KtOFdR-yHzxSVJ-MEORUqPCGA_dw_d9qer2DShlsBMQm&ec=OsTQaK5EfsnyavzwbSdG6xCsaFBVDChIdtIFdebAXMw%3D&lc=2889

The overriding sentiment is that parking deters people from going downtown. I understand that the City feels it needs the revenue, but it truly is driving people away. The very people who the City wants to attract to its businesses are choosing to go elsewhere because of the hassle. While parking may be full at times, that does not mean it is a "success." What is not measured is how many more people could be downtown, spending money, if the parking was simply monitored instead of nickled-and-dimed.

I know you don't control the Mall, but paying to park there is irritating too and it is part of the downtown. Many people avoid it for that reason. You can't even go in quickly for one thing without paying a \$1 to park. It is not even just the parking, it is the waiting in line to pay for the parking that adds to the annoyance. It makes downtown feel collectively unwelcoming.

From an urban planning perspective I understand the desire to have new buildings embrace a car-free culture, but our community is not there yet. People live outside of the City and have cars. They need a place to park them. We are not San Francisco. We do not have viable alternatives to the car and the citizens (and tourists) should not be penalized for using their only real mode of transportation to our downtown area.

I know you have done studies and determined it was better for City coffers to have meters rather than 2 hour time limits with meter maid/monitors. Please rethink this decision. It is killing downtown.

JENNIFER E. DOUGLAS

PARTNER, SPHR

DICKENSON, PEATMAN & FOGARTY

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Bliss, Sandi

3.1

From: Greater Cherry Neighborhood Association <greatercherry@gmail.com>
Sent: Tuesday, November 19, 2019 9:25 AM
To: _CityCouncilListPublic; City Clerk
Cc: trobertsonsf@gmail.com; Nadeau, Kim
Subject: [EXTERNAL] 11/19/20 City Council Mtg: Progressive Parking Study Session
Attachments: Relative Value of \$40 Parking Ticket - Sheet1 (1).pdf; Framework for Parking Department Review.pdf

Dear Council Members;

We have attached pdfs of our analysis and discussion to this email, as well as pasted the text below so you will not be able to avoid our information.

We are prepared to stand and deliver as well as follow-through.

Respectfully Submitted,

Eric Fraser
Community Organizer
707.479-8247

Text of Report:

"Framework for Parking Department Review"

A. The Parking Department, like many others in the City, produce incomplete and therefore highly misleading reports. All reports produced by the City should be complete and accurate and bear the signature of the top official under the threat of penalties if the information is not complete or is inaccurate. Information (like receipts for sales tax or enforcement income, or parking usage) needs to be consistent across the City's departments. All annual reports must include information on the entire sphere of the Department's influence. For the Parking Department that would be all the information from enforcement, maintenance, and how City parking assets are used (as collateral, or funds redirected) for activities like the reunification of Old Courthouse Square or the battle against homelessness.

A complete picture of the Parking Department would describe a multi-million-dollar enterprise that creates income from user fees and enforcement. "Fees" are usually the only substance found in annual reports, and therefore become the main talking points (like we see in today's presentation). However, it is enforcement that creates the largest negative impacts for users. The lack of data regarding enforcement covers-up the profits that are produced for the City (approximately \$200,000/yr, probably more), the hundreds of thousands of dollars paid to an outside contractor for enforcement administration, the

- b. The policy was introduced to users during one of the darkest nights of the year.
- c. The signage announcing changes to parking fees (and more importantly changes to enforcement exposure for users) was and is inadequate, probably intentionally. After all, the Department has mastered the "gotcha" moment.
- d. The reputation of the downtown as driven by the Parking Department's policy already is very negative for potential users who have heard about other user's gotcha moments, or have endured their own. Some research suggests that a consumer will tell 10-12-20 people or more about a negative experience, depending on what research is reviewed. Consumers are steering clear of Santa Rosa's parking zones and the businesses located within them.
- e. The "progressive parking" program pushes more parking to the adjacent residential zones. This is caused by intelligent users seeking to avoid enforcement as the residential zones' enforcement ends at 6 pm (effectively 4 pm) whereas the metered zones were expanded to 8 pm.
- f. In defense of the new policy, City executives point to sales tax collection data to purportedly show that there have been no negative impacts to the downtown businesses. The data presented was misleading – it did not take into consideration increases in the tax rate, and was probably not comparing apples-to-apples for the businesses analyzed anyway.

Conclusions: The "progressive parking program" is actually regressive and needs to be rolled back. The Parking Department needs to have an audit from top-to-bottom by a disinterested third party (we'll see if this can be requested though the California Attorney General's office). Reports and information from the department, and all departments must be factual; annual reports must be complete, auditable, and signed off by the official(s) responsible.

Text of discussion on attached "**Relative Value worksheet**":

Discussion: The burdens of a \$40 parking ticket, as with all fines and penalties served up by the City of Santa Rosa, impacts users disproportionately depending on their ability to pay as represented here by their income. Setting aside whether city employees, elected officials, or other insiders actually pay for a citation when they receive one, we can clearly see the burdens "gotcha" enforcement places on the pocketbooks of ordinary citizens. We set the impact of a \$40 citation as a \$40 impact for the average wage earner (baseline). For the 12% or so of residents below the poverty line a \$40 ticket may have a much more sinister impact (basically taking money from food and housing). For those earning \$178,000, \$215,000, \$311,000 or even an astounding \$406,000 the impact of a \$40 citation is equivalent to a cup of coffee, or possibly a cup of coffee and a donut.

Relative Value of \$40 Parking Ticket

Actor	Reported Compensation	Relative Value of \$40 Ticket based on average Santa Rosa resident	Data Source
11.8% Poverty Rate for residents of Santa Rosa (20,326 residents)	\$17,308	\$77.10	https://www.census.gov/quickfacts/fact/table/santarosacitycalifornia# , (2018) https://www.livestories.com/statistics/california/sonoma-county-poverty
Average Income per capita	\$33,360	\$40.00	2017, https://www.census.gov/quickfacts/fact/table/santarosacitycalifornia#
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Respectfully submitted by Eric Fraser, greatercherry@gmail.com. November 19, 2019.

Framework for Parking Department Review

- A. The Parking Department, like many others in the City, produce incomplete and therefore highly misleading reports. All reports produced by the City should be complete and accurate and bear the signature of the top official under the threat of penalties if the information is not complete or is inaccurate. Information (like receipts for sales tax or enforcement income, or parking usage) needs to be consistent across the City's departments. All annual reports must include information on the entire sphere of the Department's influence. For the Parking Department that would be all the information from enforcement, maintenance, and how City parking assets are used (as collateral, or funds redirected) for activities like the reunification of Old Courthouse Square or the battle against homelessness.

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(One small victory we had in 2018 was to finally have the Parking Department add effective or composition DATES to forms and reports, hopefully. This was a basic accounting standard that we were surprised that they didn't know about - pointing to a lack of oversight by the City Manager's office.)

- B. The Parking Department is not accountable to the public. The Council has abdicated its responsibility by allowing the department to have the power to 1) create new policy, 2) interpret existing policy and ordinances into new ways to penalize users and create income, 3) through the City Manager's office hire outside consultants to support revenue creation. When facts are in short supply, consultants can appear to add rationale for a new money grab.

Examples:

- 1) New policies have been created by the Parking Department regarding where the permitted car is registered (re: residential parking), on how infrastructure like curb painting is maintained (all zones), where a permitted car can park (structures) and where new parking meters can be installed, to name a few.
- 2) Despite no information found within the City Codes and Ordinances, the Parking Department has created "gotcha" moments to enrich themselves by "interpreting" their policies about parking violations at meters (whether to forgive tickets that are written and when as what happens for some, but not all), in structures (where a permit holder can park; and the monthly rates), Residential Parking regarding permit qualifications, and elsewhere (areas that did not have a parking demand all of a sudden have meters), for example.

Rec'd at Meeting	<u>11/19/2019</u>
Item No.	<u>3.1</u>
From:	<u>Eric Frasev</u>

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- 3) Consultants were hired to support the Progressive Parking scheme yet the information in their report is suspect, and their information and conclusions not thoroughly reviewed, a slight of hand by those financially benefitting to create a new "gotcha moment" targeting those who are not financially benefitting.
- C. "Progressive Parking" specifically. In addition to the flawed premise that "progressive parking is needed," and defective information found within the consultant's reports, there is no discussion about the over-arching negative impacts to users driven by enforcement, and broadly to the business community as potential visitors are driven away due to their intelligence to avoid "gotcha" enforcement.
- a. The new progressive parking policy was introduced to users while the City was under a Federal, State, County, and City declared STATE OF EMERGENCY. We are uncertain if the user's negative impacts (actual or perceived enforcement) violates the State's anti-gouging so we are asking for an opinion from the California Attorney General's office. However, this consideration should have been TOP OF MIND by the Parking Department, City Manager, and City Council. As we discover whether this is an illegal racket, we may be able to see how these parties colluded.
 - b. The policy was introduced to users during one of the darkest nights of the year.
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Bliss, Sandi

3.1

From: Leslie Taylor <tauzer7@gmail.com>
Sent: Wednesday, November 20, 2019 8:18 AM
To: _CityCouncilListPublic
Subject: [EXTERNAL] Downtown Parking (holiday solution)

Dear City Members,

I know parking has been an issue downtown for quite some time. Thank you for changing the parking times.

I do have a possible solution that residents and business owners would love. During the holidays multiple beach cities in Los Angeles County put bags over the meters and offer free parking which encourages residents to shop and dine locally. When I lived there I went to those areas more to shop for the holidays because I got free parking and was able to support small businesses. It has been a huge success for the cities.

Here is an article:

http://tbrnews.com/news/hermosa_beach/hermosa-beach-to-offer-free-downtown-parking-nov-to-dec/article_57feabdc-d183-11e8-8ace-d308e2f6ce73.html

Best,
Leslie

From: steve shiflett <steve@shiflett.us>
Sent: Wednesday, November 13, 2019 6:01 PM
To: _CityCouncilListPublic
Subject: [EXTERNAL] Downtown SR is Broke

I live in Healdsburg. I go to downtown SR to the paella place that is going out of business, Timothy Patrick Jewelers, the spice shop, The Parish and Russian River Brewery. (I use to go to B&N bookstore but that's where the homeless like to hang out.) I do not plan on returning because downtown is broke: dangerous homeless people doing bad things, metered parking and lack of police protection. According to the Press Democrat, there were 6 police officers, now there are two.

I recommend:

1. Money allocated to the "homeless" would best be diverted to the police who can watch over the dangerous ones to keep downtown safe.
2. Take another look at the brilliant plan to increase revenue by metered parking for downtown after you read Thomas Sowell's book "Basic Economics". You will learn from Dr. Sowell's book that with every policy there are unintended consequences. It is easy to read and is quite interesting - even if you are not interested in economics. Dr. Sowell elaborates on how government can have a decrease in revenue when they increase taxes. (Metered parking is a tax on those of us who drive to downtown SR.)

People going to a restaurant have no idea how long it will take to enjoy a meal and resent having to pay for something that is free elsewhere. Some meters require change. Really? Who carries a pocket full of quarters around? Not me. (I seldom

carry cash and certainly not pocket change.) Today I tried to get into the parking garage off 5th street and it was broke. Red light on and couldn't get in. There were spaces, but it was closed. What's up with that? Your pay parking scheme is outrageous. Think about the losses you will be stacking up for those of us who refuse to run the parking meter gauntlet. Losses in sales tax from now unto eternity. I'm not coming back.

By the way, the "homeless problem" problem has less to do with lack of housing as it does with mental health, drugs, watered down municipal law enforcement and chronic dysfunctional behavior at the family level. You may enjoy reading Heather Mac Donald's investigations on this: <https://www.city-journal.org/san-francisco-homeless-crisis>

Regards,

Steve Shiflett
Healdsburg