

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: DARYEL DUNSTON, ASSISTANT CITY MANAGER
SUBJECT: REPEAL CHAPTER 11-16 - CRUISING PROHIBITED WITHIN
THE CORE AREA OF THE CITY OF TITLE 11 – VEHICLE AND
TRAFFIC

AGENDA ACTION: ORDINANCE

RECOMMENDATION

It is recommended by the Santa Rosa Violence Prevention Partnership that the Council introduce an ordinance to repeal Chapter 11-16 - Cruising Prohibited Within the Core Area of the City of Title 11 - Vehicle and Traffic Code of the Santa Rosa City Code.

EXECUTIVE SUMMARY

The Santa Rosa Violence Prevention Partnership proposes an ordinance to repeal Chapter 11-16 from the Santa Rosa City Code. Through the implementation of the Community Empowerment Plan, the City has cultivated a relationship with the Sonoma County Lowrider Council and collaborated with them to build the Marylou Lowrider Patrol Car. Upon completion of the vehicle, the Lowrider Council requested the City repeal Chapter 11-16 of the Santa Rosa City Code, also known as the Cruising Ordinance. On October 25, 2022, the City Council asked that this ordinance be added to a future meeting agenda for discussion and possible repeal. On April 19, 2023, the California Legislature passed Assembly Bill 436 to remove the authorization for local authorities to adopt rules and regulations by ordinance or regulation regarding cruising.

BACKGROUND

On January 21, 1986, the City Council held a public hearing on cruising. Representatives from the Santa Rosa Police Department recommended that the city enact an anti-cruising ordinance, referencing concern that cruising was a source of undue traffic congestion which caused air and noise pollution, that cruising impeded the movement of emergency vehicles, and that cruising created an environment of fear and criminal activity against both persons and property. It was noted that the California Vehicle Code authorized such an ordinance and that other communities across California had implemented similar ordinances.

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On January 28, 1986, the Council adopted Ordinance No. 2519, adding Chapter 11-18 to the Santa Rosa City Code to prohibit cruising within the core area of the City.

On August 2, 1988, the Santa Rosa City Council adopted Ordinance No. 2713, making minor changes to the code and renumbering it as Chapter 11-16.

In 2021, after a six-month long community engagement process, the Office of Community Engagement created the Community Empowerment Plan Listening Sessions Report. Included in the report were community feedback, input and recommendations that focused on systemic racism in Santa Rosa. The report concluded by stating that the City of Santa Rosa must address its role in the systemic racism that impacts our communities of color and address its own policies and practices that enable historical institutional racism. This included making changes that impact the structure and culture of the organization, adopting a variety of practices, policies and procedures that change how the City serves all of its residents.

Since then, City staff has implemented a variety of strategies and projects aimed at increasing diversity, equity, inclusion and belonging and improving relationships with all members of our community. This includes declaring racism as a public health and human rights crisis; developing and implementing a City Equity Plan; developing and implementing the inRESPONSE Mental Health Crisis Response Team; implementing the Multicultural Roots Project; and partnering with the Sonoma County Lowrider Council to create the Marylou Lowrider Patrol Car.

Upon completion and reveal of the Marylou Lowrider Patrol Car to the community, the Sonoma County Lowrider Council approached the City to discuss the repeal of City Council Ordinance No. 2713 Chapter 11-16 Traffic, also known as the Cruising Ordinance. During the October 25, 2022 Council meeting, former Vice Mayor Alvarez requested a future agenda item to discuss the ordinance and possible repeal of the City's cruising prohibition.

PRIOR CITY COUNCIL REVIEW

On October 25, 2022, the City Council voted to bring back to a future meeting for Council discussion and possible action to repeal Chapter 11-16 - Cruising Prohibited Within the Core Area of the City.

On November 16, 2021, the City Council, by resolution, declared racism a public health and human rights crisis and committed to the following:

- Conduct an anti-racist analysis and incorporate anti-racist strategies, policies, procedures, and practices regarding City budget allocations, governmental structures and resources, and community access to city services and programs; and
- Collaborate with Sonoma County's law and justice agencies and the Santa Rosa

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community to build trust and confidence that public safety is administered equitably and that meaningful discussions are conducted by the Council's Public Safety Subcommittee on identifying mechanisms for researching and addressing public concerns related to the Santa Rosa Police Department performance within the City of Santa Rosa.

On May 5, 2021, the Council conducted a study session to receive the Community Empowerment Plan Listening Session Report and provide staff with direction on next steps.

ANALYSIS

The Cruising Ordinance has not been enforced in many years. The language is written too broadly to be equitably applied and is only valid in the core area of the city. Signs that used to provide notice that cruising is prohibited in the core area have been removed in the last few years, although it is unclear when the removal took place. Additionally, several communities across California, including Sacramento and San Jose, have repealed their ordinances which prohibited cruising. The California Legislature also passed Assembly Bill 436 on April 19, 2023 to remove the authorization for local authorities to adopt rules and regulations by ordinance regarding cruising. AB 463 also repeals the prohibition on lowrider vehicles in California state law.

The ordinance is not related to the issue of sideshows. Sideshows are car gatherings that involve activities like speeding, revving wheels to create marks and reckless driving that are a violation of vehicle codes. The City recognizes that sideshows are not related to cruising as traditionally and currently practiced by the Sonoma County Lowrider Council and other members of the lowrider community and does not want to restrict the ability of law-abiding residents from using public roads and parking spaces.

This action will repeal Chapter 11-16 from the Santa Rosa City Code and strengthen community relations for the City and its Police Department with the lowriding community.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

This action is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Sections 15061(b)(3) and 15378 in that it does not have the potential to result in a direct or reasonably foreseeable indirect physical change in the environment.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 – Chapter 11-16 Redlined
- Ordinance

CONTACT

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