



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Striplin

DATE: July 9, 2019

SUBJECT: STATE LEGISLATION: ASSEMBLY BILL 516

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the City Council Legislative Committee recommendation to oppose Assembly Bill 516 (Chiu) and transmit position statements to Assembly Member Chiu, Santa Clarita’s state legislative delegation, appropriate legislative committees, Governor Newsom, and the League of California Cities.

BACKGROUND

In 1977, the Legislature expanded the ability to immobilize or tow a vehicle to include the following reasons: vehicles with five or more delinquent parking tickets, vehicles with a registration that has expired for more than six months, or vehicles parked in one location for more than 72 hours against a local ordinance. Presumptively, these laws were expanded to allow local agencies to enforce curbside parking ordinances to ensure safety, control congestion, and reduce blight.

Existing law authorizes local agencies to tow a vehicle for the following reasons:

- a) The vehicle is obstructing traffic;
- b) The vehicle was reported as stolen;
- c) The vehicle is blocking a driveway;
- d) The vehicle is blocking a fire hydrant;
- e) The vehicle lacks a license plate;
- f) The vehicle is parked in a spot where notice was given for street cleaning, repair, or construction purposes;
- g) The vehicle is located in spots where all vehicles are prohibited from parking;

- h) The vehicle is parked at rest area for more than eight hours;
- i) The vehicle has a mobile billboard advertising displayed;
- j) The vehicle has five or more unpaid parking tickets or traffic tickets;
- k) The vehicle was parked in one place for more than 72 hours against a local ordinance; or
- l) The vehicle registration has lapsed by more than six months.

Existing law also allows a local agency to install an immobilization device, like a boot, on vehicles for having five or more unpaid parking tickets or traffic tickets.

This bill would do the following:

- a) Repeal existing law that authorizes a local agency to tow a vehicle for having five or more delinquent parking violations;
- b) Repeal existing law that authorizes a local agency to tow a vehicle that has been parked in one place for more than 72 hours against a local ordinance;
- c) Repeal existing law that authorizes a local agency to tow a vehicle with a registration that has lapsed by more than six months; and
- d) Repeal existing law allowing for an immobilization device installed on a vehicle for having five or more unpaid parking tickets or traffic tickets.

The City of Santa Clarita (City) currently has in place parking time restrictions throughout the City. As a key element in the City's efforts to protect the public right-of-way and secure accessibility to various facets, the City enforces time restricted parking through the issuance of parking warnings, parking citations, and, in some cases, the towing of the vehicle. In cases where it is suspected that the vehicle has not moved in a determined time period, the City's Parking Enforcement issues a warning to the vehicle, returns after 72 hours, and if the vehicle is still present in the same location, issues a citation with a notice that states the vehicle will be towed if still present 24 hours later. Parking Enforcement will then return 24 hours later and if the user of the vehicle has failed to move the car after the 24 hour notice of tow, the City's Parking Enforcement initiates the towing and impoundment of the vehicle.

From July 2018 to May 2019, the City's Parking Enforcement has towed approximately 889 vehicles, the majority of which were due to violations of the 72-hour time limit. However other less prevalent reasons that the City tows includes registration over six months lapsed, and vehicles having five or more delinquent parking tickets. The City currently does not utilize immobilization devices.

Protection of the public right-of-way allows for residents to access residential neighborhoods, government services, local businesses, and City attractions. Ensuring residents and visitors have access to their own homes or those of their relatives, city hall, parks, libraries, retail, and restaurants benefit from cities adequately enforcing these basic restrictions.

Assembly Bill 516 was introduced on February 13, 2019, and passed the Assembly (49-11-20) on May 13, 2019. Assembly Members Christy Smith and Tom Lackey did not record a vote on

the Assembly Floor.

The City Council Legislative Committee met on June 25, 2019, and recommends that the City Council adopt an “oppose” position on Assembly Bill 516.

ALTERNATIVE ACTION

1. Adopt a “neutral” position on Assembly Bill 516
2. Adopt a “support” position on Assembly Bill 516
3. Take no action on Assembly Bill 516
4. Refer Assembly Bill 516 back to the Legislative Committee
5. Other action, as determined by the City Council

FISCAL IMPACT

The resources required to implement the recommended action are contained within the City of Santa Clarita's adopted Fiscal Year 2019-20 budget.

ATTACHMENTS

AB 516 - Bill Text