



# City of Rialto

## Legislation Text

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**File #:** 18-388, **Version:** 1

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**For:** Economic Development Committee [April 25, 2018]  
**TO:** Honorable Mayor and City Council  
**APPROVAL:** Robb R. Steel, Interim City Administrator  
**FROM:** Robert G. Eisenbeisz, P.E., Public Works Director/City Engineer

Request the Economic Development Committee to review and provide comments and direction for the Proposed Street Sweeping Parking Enforcement Program.

**BACKGROUND:**

The City provides street sweeping services to residential, commercial, and industrial roadways throughout the City. Street sweeping is a National Pollution Discharge Elimination System (NPDES) program best management practice (BMP) and improves quality of life. The process of street sweeping helps the City to remove trash and debris from the streets and storm drain system, thus reducing potential pollutants from affecting downstream watersheds while enhancing the aesthetic appearance of neighborhoods. Parked vehicles along the curbside severely hamper the effectiveness the street sweeping program because vehicle obstructions prevent the sweepers from reaching the gutter line in order to accomplish an effective and efficient sweeping program.

The City is currently subject to implementing various efforts designed to reduce bacteria and nutrients under the Middle Santa Ana Total Maximum Daily Loading (TMDL) program for bacteria, which the Regional Water Board participates in through the Comprehensive Bacteria Reduction Plan (CBRP), adopted in 2012. In addition to the TMDL for Bacteria, the State Water Resources Control Board adopted a statewide Trash TMDL in 2015 that requires cities to implement programs to prevent trash from entering the storm drain system starting in 2019. Enhanced street sweeping is a key component to compliance with both of these water quality related requirements.

Currently, the City contracts with Burrtec Waste for street sweeping services; Burrtec subsequently subcontracts with Clean Streets to provide street sweeping services throughout the City. In 2014, the City negotiated additional sweeping services with Burrtec that allowed sweeping services to expand to the industrial areas south of Interstate 10.

On an annual basis, the City sweeps the following miles of streets and collects the following amount of debris:

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	Miles of Sweeping Route	Percent	Annual T
Residential	396	86.84%	111
Commercial	20	4.39%	56
Industrial	40	8.77%	11
	456		128

Street sweeping in residential and industrial areas typically occurs twice per month on a first/third or second/fourth week schedule. The street sweeping contractor sweeps commercial areas, including municipal parking lots on a weekly basis. The City sweeps twelve districts - no sweeping occurs on the days of fifth weeks of the month when applicable. A copy of the current sweeping route map is included as **Attachment 1**. Over a one-year period, the street sweeping includes 11,504 curb miles of streets, and picks up approximately 223 pounds per curb-mile during each sweeping period.

In order to improve the effectiveness of the street sweeping program, the City has been exploring the implementation of parking restrictions on street sweeping days. The California Vehicle Code (CVC) allows a city to implement and enforce parking restrictions. CVC Section 22507.6 permits local authorities to establish by ordinance or resolution a prohibition or restriction of parking or standing of vehicles for the purposes of street sweeping. The following is from Section 22507.6 of the Vehicle Code:

*“Local authorities may, by ordinance or resolution, prohibit or restrict the parking or standing of vehicles on designated streets or highways, or portions thereof, for the purpose of street sweeping. No ordinance or resolution relating to the parking or standing of commercial vehicles in a residential district shall be effective with respect to any commercial vehicle making pickups or deliveries of goods, wares, or merchandise from or to any building or structure located on the restricted street or highway, or for the purpose of delivering materials to be used in the repair, alteration, remodeling, or reconstruction of any building or structure for which a building permit has previously been obtained. No such ordinance or resolution shall be effective until the street or highway, or portion thereof, has been sign-posted in accordance with the uniform standards and specifications of the Department of Transportation, or local authorities have caused to be posted in a conspicuous place at each entrance to the street a notice not less than 17 inches by 22 inches in size, with lettering not less than one inch in height, setting forth the day or days and hours parking is prohibited. As used in this section, “entrance” means the intersection of any street or streets comprising an area of restricted parking for street-sweeping purposes on the same day or days and hours with another street or highway not subject to such a parking restriction, or subject to parking restrictions on different days and hours. (Amended by Stats. 1982, Ch. 466, Sec. 115.)”*

Several cities within both Riverside and San Bernardino counties currently prohibit parking on the day of street sweeping during the hours of sweeping operations, typically between 8AM and 4PM. These cities include Chino Hills, Grand Terrace, Riverside, Perris, Lake Elsinore and San Jacinto.

### **ANALYSIS/DISCUSSION:**

Staff is proposing to develop a street sweeping parking enforcement program that would prohibit curbside parking between the hours of 7:30 a.m. and 4:00 p.m. on designated sweeping days. The Rialto Municipal Code, Section 10.28.040 “Parking and Interfering with Construction or Cleaning of

Street” currently states that:

***“On any street or highway where the use of such street or highway or a portion thereof is necessary for the cleaning, repair or construction of the street or highway or the installation of underground utilities or where the use of the street or highway or any portion thereof is authorized for a purpose other than the normal flow of traffic or where the use of the street or highway or any portion thereof is necessary for the movement of equipment, articles or structures of unusual size, and the parking of such vehicle prohibits or interferes with such use or movement; provided that signs giving notice of such no parking are erected or placed at least twenty-four hours prior to the effective time of such no parking.”***

The penalty for a violation, as established by Council Resolution on August 23, 2011, of this section of the ordinance shall be \$35.00 with a \$50 Delinquent Fine.

### Curbside Vehicle Parking

As part of the research relating to this program, staff requested Burrtec/Clean Street to conduct a survey of the number of vehicles that the sweeper went around during its normal route. The table below shows the results of the survey conducted in September 2016:

Date	Service Day	Parked Cars	Notes
9/7/2016	Tuesday 1 & 3	756	Holiday
9/8/2016	Wednesday 1 & 3	980	Holiday
9/9/2016	Thursday 2 & 4	1259	Holiday
9/10/2016	Friday 2 & 4	0	No Count Provided
9/12/2016	Monday 2 & 4	818	
9/13/2016	Tuesday 2 & 4	768	
9/14/2016	Wednesday 2 & 4	800	
9/15/2016	Thursday 1 & 3	1028	
9/16/2016	Friday 1 & 3	968	
9/19/2016	Monday 1 & 3	875	
9/20/2016	Tuesday 1 & 3	1359	
9/21/2016	Wednesday 1 & 3	869	
9/22/2016	Thursday 2 & 4	986	
9/23/2016	Friday 2 & 4	750	
9/26/2016	Monday 2 & 4	880	
9/27/2016	Tuesday 2 & 4	675	
9/28/2016	Wednesday 2 & 4	1287	
9/29/2016	No Sweeping		Week 5
9/30/2016	No Sweeping		Week 5
<b>Total</b>		<b>15,058</b>	

During the month, the sweeper encountered 15,058 vehicles, which limited the sweeper's effectiveness in sweeping the areas with vehicles parked on the street. This translates into 180,700 vehicles per year parked along the curbside. While the typical passenger vehicle is approximately 20 feet long, by taking into consideration that the sweeper must swing out away from the vehicle to avoid the vehicle, the net impact is between 40 and 60 feet of curb not swept each time. Over time, this would mean nearly 9.035 million curb-feet are missed or 1,711 miles of curb each year. Given that the total curb miles swept each year is 11,504 miles, this represents approximately 14.9% of the

total curb miles missed. This also represents nearly 224 tons of materials (the equivalent of 22 typical refuse trucks) that remain on the city's streets due to inability to sweep effectively. The pictures in **Attachment 2** further demonstrate the typical problems that exist.

### **Proposed Alternative Sweeping Schedules**

As part of the design of the sweeping enforcement program, the City and Burrtec investigated the possibility of alternate side/alternate day sweeping schedules. In an alternate side/alternate day sweeping schedule, sweeping scheduled on one side of a street only, allowing parking on the opposite side. Sweeping for the opposite side of the street would occur on the following day. It was determined that the loss of efficiency in the sweeping program would be significant if an alternate side/alternate day sweeping schedule is implemented. Inefficiency will occur, because there will be more non-sweep route miles, such as what would occur in the case of sweeping a cul-de-sac street. The sweeper would have the brooms down on one side of the street, and then would drive down the opposite side with the brooms up. In essence, such routing would almost double the amount of miles that the sweeper would need to travel each month.

City staff recognized that there are some streets particularly in high-density populated areas, which lack sufficient off-street parking to accommodate residential parking needs. City staff identified nine neighborhoods with multi-family housing with this particular problem. To reduce the impact on these neighborhoods staff recommends an alternate side/alternate day sweeping schedule in those specific situations.

Staff recommends two enforcement periods per scheduled sweeping day per zone. One will be from 7:30 to 12:00 in those areas with sweeping in the morning, and another will be from 11:00 AM to 4:00PM in those areas with sweeping in the afternoon. Staff is currently working with the City's street sweeping provider to prepare mapping for these areas. The City of Riverside uses a similar program to minimize the disruption of residents parking activities to the smallest possible window. This would reduce the inconvenience of no parking to no more than 10 hours per month for each residence.

### **Proper Signage**

To enforce no parking on the street during street sweeping days, appropriate signage is required at the entrance to each neighborhood or district per the vehicle code. City staff mapped out the required sign locations. The Vehicle Code requires a minimum installation of 1,648 signs. Installation of additional signs may be necessary based on field operations, complaints and other factors on an as-needed basis per Police Department's recommendations, once enforcement activities commence. City staff has budgeted for the installation of approximately 2,000 signs and proposes to use a contractor to furnish and install the signs.

Implementation of the program will be over a four-month period, subject to the issuance of a contract for award of sign installation and the time required for installation of signs. The table below gives the zones and quantities of signs in each sweeping zone:

Zone	1st & 3rd Week	2nd & 4th Week	Total Signs
1	Monday	-	150
2	Tuesday	-	235
3	Wednesday	-	111
4	Thursday	-	144

5	Friday	-	128
6	-	Monday	124
7	-	Tuesday	297
8	-	Wednesday	135
9	-	Thursday	142
10	-	Friday	92
11	-	Monday	40
12	Tuesday	-	50
		<b>Total:</b>	<b>1648</b>

The expected sign installation in each zone is a minimum of forty (40) signs per day or 200 signs per week. This will require approximately ten (10) weeks for completion of the installation of all signs resulting in a two-and-a-half-month period for sign installation.

### Public Outreach/Education

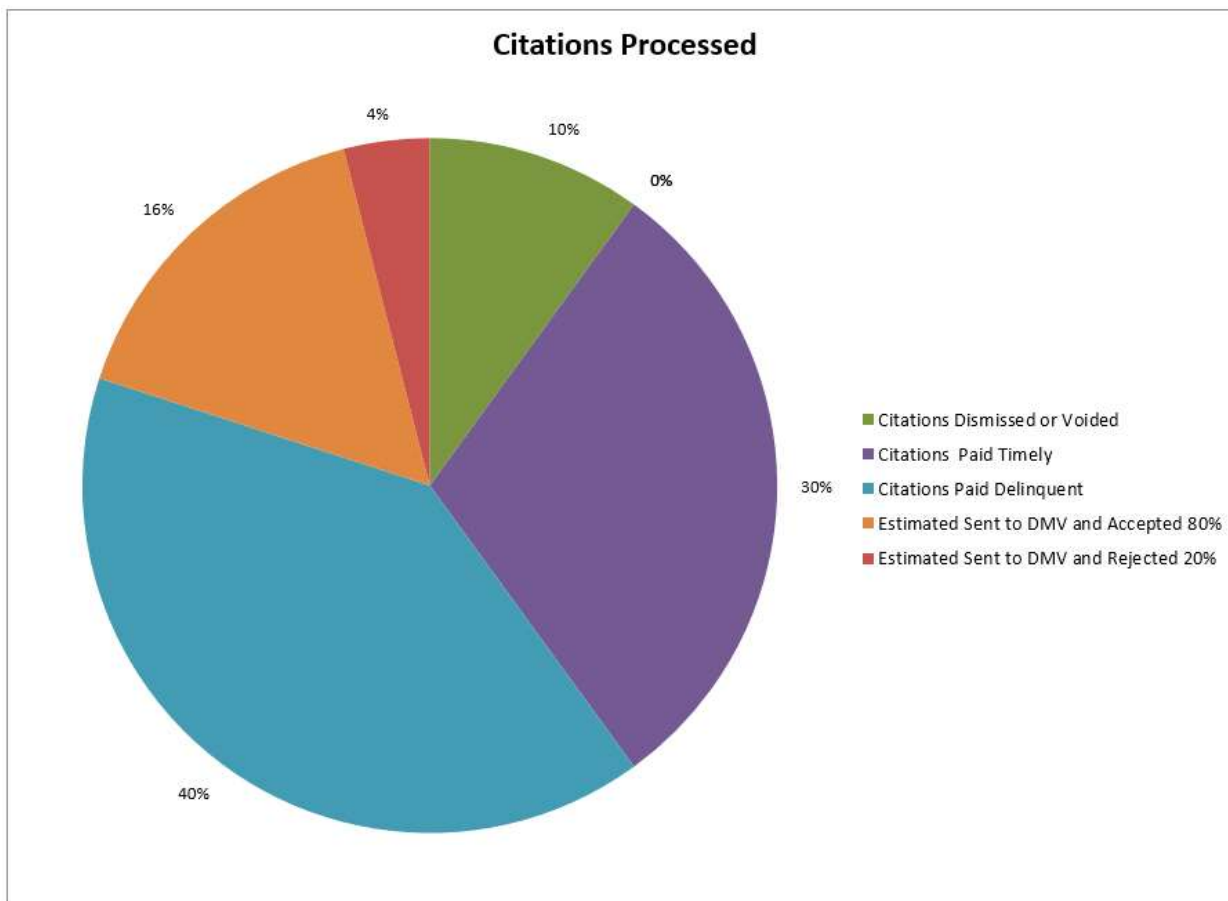
During the first sixty days, the outreach plan will include the following:

- Staff will post flyers and information about the program on the City's website, on social media, Nixel, Nextdoor and print materials in the Rialto Progress Magazine.
- Send parking enforcement information as bill inserts with Rialto Water Services and Burrtec billing.
- Once signage is in place, parking control officers will distribute educational outreach materials on each vehicle that is in violation of the parking program. This public education piece is bilingual and looks like a citation. It explains the new parking enforcement program and provides the date that actual enforcement will begin in the zone. Printed on the ticket will be the parking violation fine as informational only. The parking enforcement vehicles will be equipped with License Plate Reader technology, which allow for an immediate check for stolen or out of registration vehicles. The Police Department will address issues of this nature.
- Staff is developing a phone app/email reminder to provide a reminder notification to residents who register to use this app/reminder. This application reminds residents in advance to move their car prior to the arrival of the sweeper. This outreach program will further minimize the number of violations while improving the effectiveness of the overall program. The annual cost for this program is \$4,995.

### Police Enforcement

The Police Department uses DataTicket of Newport Beach, CA, as the City's current citation processing company. DataTicket manages citations due to noncompliance with parking restrictions. DataTicket receives citations daily at the end of each shift. DataTicket processes the citations, handles any appeal processes with the Rialto police Department, files notices as appropriate with the Department of Motor Vehicles and collects the fines via a link on the City's website or through telephone processing. Law enforcement personnel as required per Weiss v. City of Los Angeles conduct first level review of citations that are appealed to Dataticket. The cost of those appeals depends on who does them and how many citations are appealed each month. Currently a Traffic Corporal handles the first level appeals with Dataticket.

Based on the “go-around” data, the maximum number of violations per year could be approximately 180,700 potential violations. Based upon the experiences of other agencies that have implemented similar programs, the program anticipates that 80% of residents will comply with the new enforcement program. This will result in the issuance of approximately 3,012 citations per month or 36,139 citations per year (138 citations per program day). Typically, the City dismisses or voids 10% of the citations due to various reasons or in the interest of justice. Of the remaining citations, around 30% are paid within the 21-day period, while roughly 40% are paid as delinquent. About 20% of the citations are unpaid through the normal process and are ultimately referred to the Department of Motor Vehicles for placement of liens on a vehicle’s registration. Of this 20%, about 16% are typically paid through the license registration lien process leaving 4% that cannot be processed by DMV. This means that of the total citations issued, approximately 14% will be dismissed, or uncollectable. Below is a graph of this data:



On May 3, 2017, the Transportation Commission received a presentation of the proposed street sweeping and enforcement program and the Utility Commission received the presentation on May 16, 2017. Both commissions unanimously approved the concept and recommended moving the recommendations forward to the City Council.

**ENVIRONMENTAL IMPACT:**

Pursuant to Section 15378(a), a “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect

physical change in the environment. According to Section 15378(b), a Project does not include: (5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

**GENERAL PLAN CONSISTENCY:**

Approval of this action complies with the City of Rialto General Plan Goals and related Policies:

**Measure 8.17: National Pollutant Discharge and Elimination System (NPDES) Compliance**

Continue to comply with all provisions of the National Pollutant Discharge and Elimination System (NPDES) permit and support regional efforts by SARWQCB to improve and protect water quality.

- Limit disturbance of natural water bodies and natural drainage systems.
- Employ pollution prevention methods, source controls, and treatment using small collection strategies located at, or as close as possible to, the source.

**LEGAL REVIEW:**

The City Attorney has reviewed and approved the staff report.

**FINANCIAL IMPACT:**

The following table lists the projected program costs.

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START UP COSTS					
ENFORCEMENT - Vehicles					
		QUANTITY	UNITS	UNIT COST	COST
Parking Enforcement Vehicle, Ford Escape		2.00	Vehicle	\$ 23,000.00	\$ 46,000.00
Upfitting (including Lightbar, Graphics and Data Terminal)		2.00	Upfit	\$ 19,900.00	\$ 39,800.00
License Plate Reader Technology		2.00	Unit	\$ 21,000.00	\$ 42,000.00
<b>Subtotal</b>					<b>\$ 127,800.00</b>
Sales Tax		8.50%			\$ 10,863.00
<b>Subtotal</b>					<b>\$ 138,663.00</b>
Contingency		8.50%			\$ 11,786.36
<b>TOTAL VEHICLE COST</b>					<b>\$ 150,449.36</b>
PROGRAM SETUP					
		QUANTITY	UNITS	UNIT COST	COST
Parking Enforcement Signage Purchase and Installation (Estimate 40 signs per day installed and 50 working days.)		2000.00	Signs	\$ 185.00	\$ 370,000.00
Inspection services for sign installation. (Contractor) (ESTIMATE 3 hours per day)		150.00	Hours	\$ 60.00	\$ 9,000.00
Project Manangement (Sign Installation, including bid process.)		40.00	Hours	\$ 160.00	\$ 6,400.00
Education and outreach graphic arts		40.00	Hours	\$ 60.00	\$ 2,400.00
Printing, education materials		10000.00	copies	\$ 2.50	\$ 25,000.00
Electronic Ticket Writers		4.00	units	\$ 3,200.00	\$ 12,800.00
Citation Supplies		260.00		\$ 25.00	\$ 6,500.00
<b>Subtotal</b>					<b>\$ 432,100.00</b>
Contingency		8.50%			\$ 36,728.50
<b>TOTAL PROGRAM SETUP</b>					<b>\$ 468,828.50</b>
<b>Vehicle Costs</b>					<b>\$ 150,449.36</b>
<b>Program Setup</b>					<b>\$ 468,828.50</b>
<b>TOTAL START UP COSTS</b>					<b>\$ 619,277.86</b>

The estimated initial start-up cost of the program is about \$620,000, with the largest cost components being \$370,000 for sign installation and \$150,500 for two dedicated parking enforcement vehicles needed to cover the number of sweeping days, while allowing for a vehicle to be taken out of service for maintenance or repair. Approximately \$62,100 is budgeted for program development and management, sign installation, purchase of printed materials, handheld citation units and other support. An 8.5% contingency of \$36,700 has been included in the start-up costs.

The estimated first year costs for enforcement of the street sweeping parking program will be approximately \$619,400.00 per year, with the greatest single expense relating to the citation-processing program.

The program costs are outlined in the table below.



ANNUAL OPERATING EXPENSES					
CITATION PROCESSING					
DATA TICKET PRICING		Price	Unit	Quantity	Extended
Handheld Units, Leased (Four Units)		\$ 122.00	Handheld Per Month	-	\$ -
Handheld Units, Support		\$ 65.00	Handheld Per Month	48	\$ 3,120
Handheld Unit supplies		\$ 10.00	day per unit	1,040	\$ 10,400
Fee for processing & collecting each parking citation		\$ 0.85	Citation	36,139	\$ 30,718
Fee for the first delinquent notice		\$ 0.75	Notice	20,238	\$ 15,178
Fee for Delinquent Parking Collections		30.0%	Revenue	\$ 722,784	\$ 216,835
Scheduling: Review, Hearing and Court Appearances		\$ 3.50	Appealed Citation (10% of All Citations)	3,614	\$ 12,649
TOTAL ANNUAL COST FOR CITATION PROCESSING (DataTicket)					\$ 288,901
POLICE DEPARTMENT COSTS					
PERSONNEL- Parttime Parking Control Officer		\$ 51.60	FBH	3,250	\$ 167,690
Fuel and Vehicle Maintenance					
Miles traveled per year at 90 miles per day		23400.00	Miles		
Fuel Economy at		30.00	MPG		
Fuel Cost		780.00	Gallons	\$ 3.50	\$ 2,730
Services Per Year, every 5000 miles		4.68	Services	\$ 250.00	\$ 1,170
Tires, every 30,000 miles		0.78		\$ 550.00	\$ 429
Miscellaneous	15.00%				\$ 649
TOTAL VEHICLE COST, Per Year					\$ 4,978
Citations Appeals Review with Police Corporal (Assumes 10 minutes per appeal) Estimated number of appeals per year:	3614	\$ 116.36	FBH	602.32	\$ 70,083
Subtotal Police Department Direct Costs					\$ 242,751.74
POLICE PROGRAM ADMINISTRATION AND CONTINGENCY	20.00%				\$ 48,550.35
SUBTOTAL POLICE DEPARTMENT PARKING ENFORCEMENT PROGRAM					\$ 291,302
OTHER PROGRAM COSTS					
Education and Outreach - Notice App		1.00	Subscription	\$ 5,000.00	\$ 5,000
Printed Materials and Information		10000.00	Print	\$ 2.50	\$ 25,000
Storm Drain Capture Inserts		25.00	Unit	\$ 3,000.00	\$ 75,000
Storm Water Program Permits		1.00	LS	\$150,000.00	\$ 150,000
NPDES Program Operations		1.00	LS	\$140,000.00	\$ 140,000
Miscellaneous		1.00	Unit	\$ 1,000.00	\$ 1,000
STORM PROGRAM MAINTENANCE Per Year					\$ 396,000
TOTAL ANNUAL COST FOR PROGRAM					\$ 976,202.79
TOTAL ANNUAL REVENUE					\$ 1,391,359.20
TOTAL ANNUAL COST FOR ISSUANCE					\$ 976,202.79
NET TO CITY					\$ 415,156.41

The Police Department has indicated that in order to provide full staffing for this effort, three new Parking Control Officer positions and two parking enforcement vehicles would be required. This staffing level will allow the department to cover approximately 50 hours per week of program operations as well as allow flexibility in scheduling for vacations and leave. The Department is requesting a minimum of two new parking enforcement vehicles for this program in order to ensure that a fully equipped vehicle is available and to allow vehicles to be scheduled for maintenance and repairs as necessary.

The City is proposing to fund implementation of the state-mandated Trash Policy (TMDL), which requires the City to retrofit full-trash-capture devices into all catch basins in commercial, industrial and multifamily areas over a ten-year period. This cost is estimated to be approximately \$75,000 per year to retrofit 250 catch basins over a ten-year period. In addition, staff is recommending that the NPDES Program, including regional programs, technical support and illegal discharge activities, in the amount of \$140,000, be funded from this program.

Funds for the startup and partial funding of the first year of the program in the amount of \$1,031,548 have been budgeted in Waste & Environmental Fund Account 212-500-7313-3001-150805-05. The city anticipates that approximately 36,139 citations may be issued per year, generating potential fines of up to \$1,391,000 in the first year of operations for an average cost per citation of \$38.50.

The following table shows a five-year projection of the number of anticipated citations, revenues and expenses. This table assumes that compliance with the street sweeping parking enforcement will improve 5% each year, with a corresponding decrease in the number of citations issued and citation processing costs. Staff projects enforcement expenses to increase each year at 2.5% for the five-year period and there is no corresponding increase in the bail amount for each citation. Staff believes that after five years, the program will be sufficiently mature that the projected number of citations issued reflects on-going operations. These results are similar to those seen in Perris and Riverside.

Description	Year 1	Year 2	Year 3	Year 4	Year 5
Citations issued	36139	34332	32616	30985	29436
Citations Dismissed or Voided	3614	3433	3262	3098	2944
CITATIONS TO BE COLLECTED	32525	30899	29354	27886	26492
Citations Paid Timely	10842	9270	8806	8366	7948
Citations Paid Delinquent	14456	12360	11742	11155	10597
Estimated Sent to DMV and Accepted 80%	5782	4944	4697	4462	4239
Estimated Sent to DMV and Rejected 20%	1446	1236	1174	1115	1060
TOTAL ESTIMATED ANNUAL REVENUES	\$ 1,391,359	\$ 1,189,612	\$ 1,130,132	\$ 1,073,625	\$ 1,019,944
CITATION PROCESSING COSTS	\$ 288,901	\$ 253,185	\$ 240,526	\$ 228,500	\$ 217,075
POLICE DEPARTMENT OPERATIONS COST	\$ 291,302	\$ 298,585	\$ 306,049	\$ 313,700	\$ 321,543
STORM PROGRAM MAINTENANCE & OUTREACH	\$ 396,000	\$ 405,900	\$ 416,048	\$ 426,449	\$ 437,110
Subtotal - Enforcement Operations	\$ 976,203	\$ 704,485	\$ 722,097	\$ 740,149	\$ 758,653
TOTAL ANNUAL PROGRAM COST	\$ 976,203	\$ 957,670	\$ 962,623	\$ 968,649	\$ 975,728
PROGRAM NET REVENUE/EXPENSE	\$ 415,156	\$ 231,942	\$ 167,509	\$ 104,976	\$ 44,216

**RECOMMENDATION:**

Staff requests the EDC to provide the following:

- Provide additional guidance and direction regarding the program; or,
- Direct the staff to present the program for approval to the City Council.