

AGENDA ITEM NO.

COUNCIL MEETING

APPROVED BY

DEPARTMENT DIRECTOR

CITY MANAGER

May 1, 2007

TO: JON R. RUIZ, Interim Director
Public Works Department

THROUGH: MIKE KIRN, City Engineer
Public Works Department

BY: DEL ESTABROOKE, Parking Manager
Public Works/Parking Services Division

SUBJECT: AMEND THE MASTER FEE SCHEDULE TO INCLUDE A VEHICLE IMMOBILIZATION
"BOOT" REMOVAL FEE PER SECTION 10-310 OF THE FRESNO MUNICIPAL CODE

KEY RESULT AREA

Financial Management, Customer Service

RECOMMENDATION

Staff recommends that the City Council amend the Master Fee Schedule to establish a \$100 administrative fee for the removal of the Vehicle Immobilization Boot. Authority to affix an immobilization boot to vehicles with 5 or more delinquent parking citations and to collect a fee for its removal is established under CVC 22651.7 and FMC 10-310.

EXECUTIVE SUMMARY

California Vehicle Code allows for a vehicle with 5 or more outstanding parking citations to be immediately towed from a public street. Prior practice of the Parking Services Division was to call for a tow truck when these vehicles were identified, and turn the vehicle over to the Fresno Police Department. Vehicle owners incur several fees when their vessels are towed, such as tow company fees, storage fees, and release fees in addition to the parking penalties that must be paid before the release is authorized. The average price for transactions associated with towed vehicles is \$300.00, plus the unpaid parking fines.

The Parking Services Division received unanimous approval from Council in March 2007 to amend the Fresno Municipal Code, granting them the authority to immobilize vehicles with five (5) or more delinquent parking citations via a tire boot device. Current regulations allow the boot to remain on the vehicle up to 24 hours, giving the registered owner an opportunity to pay their citations and a boot removal fee in lieu of having the vehicle towed by the Fresno Police Department. Vehicle boots are currently used by many major California cities, including Los Angeles and San Francisco. These cities charge a boot removal fee to recover internal costs associated with the physical booting, payment processing, release and removal of vehicle boots. The fee serves two additional purposes: to act as a deterrent, preventing citizens from allowing more than five parking citations to remain unpaid, and to give offenders the opportunity to recover

REPORT TO THE CITY COUNCIL

Amend the Master Fee Schedule to include a Vehicle Immobilization "Boot"

Removal Fee per Section 10-310 of the Fresno Municipal Code

May 1, 2007

Page 2

their vehicles at a fee significantly smaller than the amount associated with towing and vehicle recovery from the Police Department. Other cities' fees range from \$75 to \$125 dollars per occurrence. Parking Services recommends setting the Immobilization Boot Removal fee at \$100.

California City	Boot Removal Fee
Los Angeles	\$125
San Francisco	\$75
Sacramento	\$100
Davis	\$100
Fresno (<i>Recommended</i>)	\$100

KEY OBJECTIVE BALANCE

This fee contributes to Financial Management in that it aids with the collection of parking penalties owed to the City, as well as potentially generating revenue and covering costs associated with the program. The \$100 Boot Removal Fee is significantly less than the violators would pay if the vehicle were towed, so this option as well as the 24 hours to resolve the issue provides for Customer Service.

BACKGROUND

Parking Services Division has been actively seeking methods to collect unpaid parking citations. A third-party processing administrator has been contracted with Parking Services to send reminder notices, collection notices, and final notices to those with unpaid citations. Parking also partners with the DMV to hold the registration on vehicles with unpaid parking citations. In 2006 the option to pay by phone and on the internet was added, so customers had several ways by which to make their payments. In spite of the variety of methods Parking Services has tried, many citizens still continue to ignore parking citations and amass considerable penalties due to the City of Fresno. The minimum amount owed to the City for 5 unpaid tickets is \$205.00, but many violators owe much more. Over 300 vehicle owners currently have 5 or more delinquent parking citations, and as of March 2007 over \$126,000 is due to the City strictly from violators with 5 or more unpaid citations.

On March 6, 2007, Council unanimously approved an ordinance amending FMC 10-310, allowing Parking Services to immobilize eligible vehicles as an additional method to collect these penalties. Vehicle owners have their vessels "booted", with notice provided that fees due must be paid within 24 hours or the vehicle will be impounded. The ordinance allows for "an administrative fee or fees for such immobilization may be established by resolution of the City Council." Parking Services has researched fees charged by other major cities operating under the California Vehicle Code, and suggests that this fee be set at \$100.00 per an amendment to the Master Fee Schedule.

FISCAL IMPACT

There are approximately three hundred and seventeen (317) vehicle owners having five or more unpaid citations in the system. Parking Services estimates that at least half of these vehicles may be located and booted for collection. At \$100 per occurrence, the boot fee alone could generate \$15,000.

