



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: September 15, 2020

TO: Christine Daniel, City Manager

FROM: Office of the Chief of Police

SUBJECT: Resolution Of The City Council Approving A Parking Processing Agency Procedure Manual As Required By California Vehicle Code Section 40200.6

RECOMMENDATION

Staff recommends the City Council of the City of Emeryville adopt the above-entitled resolution approving the Parking Processing Agency Procedure Manual.

BACKGROUND

The purpose of this staff report is to fulfill the legal requirements for agencies using a third-party agency to process parking citations. According to the California Vehicle Code, an agency that issues parking violation notices may elect to contract with a private vendor for the processing of notices of parking violations. At its February 4, 2020, meeting, the City Council adopted Resolution 20-07 approving a contract with IPS to manage parking citation processing. The contract with IPS specifies IPS' responsibilities in managing the parking citation process. In addition to the contract, staff recommends adopting the attached Parking Processing Agency Procedure Manual to specify the services IPS will provide to the City as required by Vehicle Code section 40200.6(b).

California Vehicle Code section 40200.6(b) requires the governing body of the issuing agency to establish written procedures pursuant to which the contracting party shall provide services. In addition, Vehicle Code section 40200.6(c) also requires the City to exercise "effective oversight" of the private vendor who will process parking violation notices. "Effective oversight" includes, "at a minimum, an annual review of the services of the processing agency and a review of complaints made by motorists using the services of the processing agency. The issuing agency shall establish procedures to investigate and resolve complaints by motorists about any processing agency." The purpose of this document is to satisfy these two requirements of the California Vehicle Code. Attachment E to the contract already requires IPS to submit an annual report to the City to allow the City to conduct an annual review as required by the Vehicle Code.

DISCUSSION

The benefits of accepting this parking procedure manual will be that the new parking program will comply with the requirements outlined in CVC 40200.6(b). The section requires the governing body approve the procedure document.

The procedure manual should also require IPS prepare a report needed to conduct an annual review of services, what will be in the report, when the report will be submitted, and who at the City will conduct the review. The procedure manual should also set forth how motorists can make a complaint, and how the agency will investigate and resolve the complaint, or make reference to an existing policy, if one exists that could be applied to this situation.

FISCAL IMPACT

There will be no fiscal impact to the City if this procedure document is approved.

STAFF COMMUNICATION WITH THE PUBLIC

As of this time there has been no communication with the public as creating a procedure manual to establish the scope of services and effective oversight are required by the California Vehicle Code.

CONFLICT OF INTEREST

None.

CONCLUSION

Adoption of this procedure manual fulfills the requirement described in CVC 40200.6(b). Staff recommends accepting the Parking Processing Agency Procedure manual.

PREPARED BY: Oliver Collins, Emeryville Police Department Captain

APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:



Christine Daniel, City Manager

ATTACHMENTS

- Draft Resolution
- Parking Processing Agency Procedure Manual