

**MINUTES FOR THE STUDY SESSION
ASHLAND CITY COUNCIL
Monday, August 17, 2015
Siskiyou Room, 51 Winburn Way**

Council Chair Marsh called the meeting to order at 5:30 p.m. in the Siskiyou Room.

Councilor Voisin, Morris, Seffinger, and Lemhouse were present. Mayor Stromberg and Councilor Rosenthal were absent.

1. Public Input

Louise Shawkat/870 Cambridge/Explained Council could individually endorse the Our Critical Climate: Trends, Impacts & Solutions – a Rogue Basin Summit occurring in October.

Huelz Gutcheon/2253 Hwy 99/Stated that the baseline for greenhouse gas emissions was one third housing, one third cars, one third factories and defined the energy signature. He asked that the City measure and inventory emissions to establish targets.

2. Look Ahead review

City Administrator Dave Kanner reviewed items on the Look Ahead.

3. Discussion of parking regulations, penalties, and enforcement

City Attorney Dave Lohman explained Council was responsible for setting and monitoring policy. The Municipal Court Judge took the policies the City had and adjudicated cases. The Downtown Parking Management and Circulation ad Hoc Advisory Committee initially questioned if it was feasible for the City to make changes to better maximize parking capacity in the downtown area. They also questioned whether parking fines were too low. The current parking was \$7 with a \$4 surcharge. A prior judge actually set the \$7 fine that was unprecedented because judges did not normally set fines. Staff developed an ordinance that made it clear Council had the authority to set fines and have amounts addressed during the annual miscellaneous fees review. Other issues staff wanted Council to address were whether penalties were overly complicated, how to do enforcement and the cost associated with enforcement.

Mr. Lohman updated the 2015 Ashland Municipal Court Ticket Processing Statistics from Diamond Parking document explaining 2015 went through April. Total Citations for 2015 were currently 7,770 with 247 appealed, 74 upheld in full, 136 reduced to zero and not dismissed and 37 dismissed.

Operations Manager Linda Fait from Diamond Parking added more citations occurred during the tourist season, Christmas, and when it snowed.

Mr. Lohman explained there were two types of dismissals, Administrative and Judicial. Administrative dismissals occurred when Diamond Parking issued a ticket then determined it was not appropriate. They would recommend a dismissal to the judge. In 2014, there were 104 judicial dismissals and 130 administrative dismissals. Diamond Parking also produced a scofflaw report and in 2015 to date, there were 51 different vehicles with more than 4 parking citations in a calendar year and 111 with four tickets. Revenues from violations were small at approximately \$135,000 a year. In 2014, the Court judicially appealed 3.75% citations.

Municipal Court Judge Pamela Turner explained parking appeals were a small part of the process. The 419 appeals she dismissed resulted in approximately \$6,285 not paid in fines. The remaining citations were paid, sent to collections, or booted. All parking revenue went into the General Fund. She distributed a Citation Disposition form and submitted into the record. The form came to her attached to

an appeals packet that contained a copy of the citation, photos, past parking history and notes from Diamond Parking. She reviewed each packet, sometimes driving to the scene for further research. Judge Turner focused on education, prevention, and prevention through education, compassion, and being firm when needed.

Often she dismissed fines for people with no prior parking citations. Although dismissed, the ticket remained on record as dismissed with Diamond Parking. Dismissing fines for no prior tickets occurred only for people who appealed the citation, not those that paid their ticket directly. Reducing a fine to zero was a gesture of good will for the court. Often the Judge would write a note to the individual for educational purposes.

Ms. Fait explained appeals regarding financial hardship were rare and usually came from individuals who received several tickets and accrued penalties. Diamond Parking notified owners of delinquent parking tickets and the need to contact them regarding payment or a payment plan.

Judge Turner noted issues with 15-minute parking zones and California drivers with disabled placards. In California, drivers with disabled placards could legally park in 15-minute parking spaces for extended periods and loading zones. The Court worked with the Oregon Shakespeare Festival who now displayed parking rules in their pamphlets. She recommended creating a guide on parking in Ashland. Another area of confusion for drivers was head in only parking.

In 2014, 74 people received enhanced penalty tickets and only four appealed. The remaining people paid the fines, it went collections, or they had their vehicle booted. If fines increased, tickets might increase temporarily but would most likely remain the same. The initial fine in the City of Medford was \$25 that went to \$50 after thirty days and did not incur additional surcharges.

The block phase rule pertained to one side of the street between two intersecting streets. If a person moved their vehicle 1-2 stalls forward, Diamond Parking will issue them a warning notice explaining once a vehicle parked on a block, the time continued to run. The block phase warning lasted two years. The second time they received a ticket. This also applied to timed parking lots.

The surcharge was not difficult for Diamond Parking to administer on a one-time basis. It could become time consuming if an individual appealed the same citation multiple times. Receiving penalties on the fourth and fifth tickets did not deter a person from parking downtown. The majority of people paid their tickets. Parking studies indicated one two-hour parking spot equated to an average of \$20 spent in retail and could generate \$32,000 annually for that retail business. Names on the scofflaw list were not public information.

Diamond Parking tracked license plates, not individuals. A person's vehicle became eligible for booting when the owner accrued over \$250 in unpaid fines. Individuals received notification prior to booting. If the individual had multiple cars, they could put all of them on one payment plan. However, the agreement stated failure to make payments could result in collecting the whole amount on one vehicle and booting that car. It remained car specific until an individual signed the payment plan agreement.

Council supported a comprehensive revision of the current ordinance and possibly combining Ashland Municipal Code 11.24 and 11.28. They were interested in making the code consistent with the City of Medford, and possibly having vehicles booted when fines reached \$150 versus \$250. Council majority agreed to drop the surcharge and increase the base fee. Comments suggested a comparison with the City of Medford's ordinance.

Ms. Fait explained the block rule replaced the downtown employee parking rule. This prevented employees from shuffling parking spaces in the downtown area instead of finding long-term parking for their workday. Council would come back to the block phase rule once the parking study was complete.

Council was not in favor of eliminating financial hardship, and supported reducing the fine to zero, and keeping the ticket on the record. Council also wanted the authority to set parking fines through resolution.

Ms. Fait clarified people could pay fines with a credit card. There was no indication on the ticket itself and when they reordered stock, they would include verbiage that Diamond Parking accepted credit cards.

Meeting adjourned at 7:02 p.m.

Respectfully submitted,
Dana Smith
Assistant to the City Recorder