

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO: Honorable City Council**

**FROM: John Brand, Senior Management Analyst** 

**DATE: June 3, 2012 (CC Meeting of 06/20/12)**

**SUBJECT: Consider a Resolution to Enforce Provisions of the California Vehicle Code (CVC) on the Parking Facilities at the Ruben Castro Human Services Center**

**DISCUSSION**

The Ruben Castro Human Services Center (HSC) (APN-512-0-171-235, 512-0-171-245) is located at 612 Spring Road. As the property owner, the City Council is being asked to consider declaring the Parking Facilities at the HSC subject to the provisions of the California Vehicle Code (CVC). This will enable Police and Public Officers to enforce the CVC within and upon this parking lot on behalf of the future tenants. Section 21107.8 of the CVC provides for the enforcement of certain portions of the CVC on privately maintained parking facilities generally held open for public use. The only portions of the CVC which can be enforced within a parking lot are: Section 22350 (Basic Speed Law), Section 23103 (Reckless Driving), Section 23109 (Speed Contests) and Division 16.5 [Section 38000 et. Seq.] (Off-Road Vehicles).

Additionally, staff recommends that overnight parking between 10:00 PM and 6:00 AM be prohibited except by permit, similar to the parking policy at the civic center. The CVC further requires signs to be posted at the entrance to the parking lot, in order for the subject enforcement to occur. Because the property is owned by a governmental agency (the City of Moorpark), it is not necessary to hold a public hearing on the matter pursuant to the Code Section.

**FISCAL IMPACT**

None.

**STAFF RECOMMENDATION**

Adopt Resolution No. 2012-\_\_.

Attachment: Resolution

## ATTACHMENT

RESOLUTION NO. 2012 - \_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, FINDING AND DECLARING CERTAIN PRIVATE PARKING FACILITIES SUBJECT TO CERTAIN PROVISIONS OF THE CALIFORNIA VEHICLE CODE (CVC) AT THE RUBEN CASTRO HUMAN SERVICES CENTER (APN 512-0-171-235, 512-0-171-245)

WHEREAS, CVC Section 21107.8 provides for the enforcement of CVC Sections 22350 (Basic Speed Law), 23103 (Reckless Driving), 23109 (Speed Contests) and Division 16.5, Section 38000 et seq. (Off-Road Vehicles), upon privately owned and maintained off-street parking facilities generally held open for use by the public for vehicular parking; and

WHEREAS, Municipal Code Section 10.08.010.B provides that certain off-street parking facilities, including those owned and maintained by the City, which are generally held open for use by the public for purposes of vehicular parking, are subject to the California Vehicle Code. Sections 22350, 23103, 23109 and the provisions of Division 16.5 (commencing with Section 38000) of the California Vehicle Code when designated as such by City Council resolution and provided that the owner or operator has caused to be posted in a conspicuous place at each entrance to that off-street parking facility a notice as required by the California Vehicle Code; and

WHEREAS, On June 20, 2012, a staff report was presented to the City Council requesting approval of this matter to enforce the CVC on the parking lots of the Ruben Castro Human Services Center.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the parking facilities open to the general public, located upon the property of the Ruben Castro Human Services Center (APN 512-0-171-235, 512-0-171-245, shall be subject to the provisions of CVC Sections 22350, 23103, 23109 and Division 16.5 (Section 38000 et seq).

SECTION 2. That overnight parking shall be prohibited between the hours of 10:00 PM and 6:00 AM except by permit issued by the City.

SECTION 3. That said enforcement shall take effect upon placement of appropriate signs erected in accordance with the requirements of CVC Section 21107.8(b).

SECTION 4. That the placement and maintenance of such signs shall be the responsibility of the property owners/operators, as required by the CVC.

SECTION 5. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 20<sup>th</sup> day of June, 2012.

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Janice Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk