

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Dave Klotzle, City Engineer/Public Works Director
Prepared By: Al Gali, Assistant Engineer *ALG*

DATE: June 23, 2015 (CC Meeting of 07/01/15)

SUBJECT: Consider Resolution Declaring the Private Parking Facilities Located at 702 Walnut Street Subject to the Provisions of the California Vehicle Code

BACKGROUND/DISCUSSION

The First Baptist Church is located on the northeast corner of Charles Street and Walnut Street. The church submitted a letter, (Attachment 1) requesting that the City declare that their private parking facilities be subject the California Vehicle Code (CVC).

Section 21107.8 (Code Section) of the CVC allows the City of Moorpark to enforce the CVC on privately owned and maintained off-street parking facilities generally open for public vehicular parking by adopting an ordinance or resolution.

The attached Resolution (Attachment 2) states that the privately owned and maintained off-street parking facilities at 702 Walnut Street shall be subject to the requirements of Sections 23350 (Basic Speed Laws), 23103 (Reckless Driving), and 23109 (Speed Contests), as well as Division 16.5 Section 38000 (Off-Road Vehicles) of the CVC.

Pursuant to the requirements of the Code Section, this request must be considered at a public hearing and a written notice of this hearing has been provided to the property owner. The Code Section also requires signs to be posted at the entrance to the privately owned and maintained parking facilities at the location in order for the CVC enforcement to occur. The attached Resolution directs the property owner to place and maintain the required signs.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

1. Open the public hearing, receive testimony and close the public hearing.
2. Adopt Resolution No. 2015 - _____.

ATTACHMENTS

1. Letter
2. Resolution

**FIRST BAPTIST CHURCH
MOORPARK
702 WALNUT ST.
MOORPARK, CA. 93021**

RECEIVED

JUN 01 2015

Public Works Department

May 10, 2012

May 30, 2015

City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

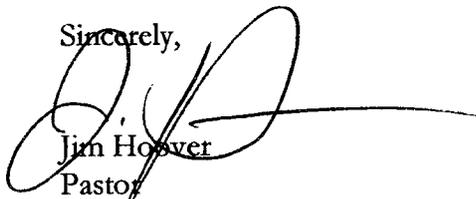
Attn: Dave Klotzle, City Engineer

We would like to request that California Vehicle Code Section 211107.8 be enforced on on property.

There has been multiple instances where cars are left unattended in our parking lot and what appears one person sleeping there regularly. This has caused the neighbor to complain mostly due to sanitation concerns. We have left notes on the window and spoken to a couple of people but it hasn't brought a solution to the problem.

If you can be of assistance in this area we would appreciate it.

Sincerely,



Jim Hoover
Pastor
(805) 535-0120

RESOLUTION NO. 2015 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, FINDING AND DECLARING CERTAIN PRIVATE PARKING FACILITIES IN 702 WALNUT STREET SUBJECT TO CERTAIN PROVISIONS OF THE CALIFORNIA VEHICLE CODE (CVC)

WHEREAS, Section 21107.8 of the California Vehicle Code (CVC) provides for the enforcement of the CVC on privately owned and maintained parking facilities that are generally open for the use of the public for purposes of vehicular parking; upon compliance with certain conditions and requirements as set forth in said CVC Section; and

WHEREAS, the owner of Property submitted a written request that the City enforce the CVC within and upon the privately owned and maintained parking facilities within the Property; and

WHEREAS, said written request satisfies those provisions of the CVC requiring the owner of the Property to submit a petition requesting the aforesaid enforcement of the CVC; and

WHEREAS, a public hearing on this matter was convened pursuant to the requirements of the CVC and written notice of said public hearing was provided to the property owner as required by the CVC.

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

SECTION 1. That the privately owned and maintained parking facilities generally open to the public, located at 702 Walnut Street, as generally shown on Exhibit 'A' attached hereto and made a part hereof, shall be subject to the provisions of CVC.

SECTION 2. That the said enforcement of the CVC on said privately owned and maintained parking facilities shall take effect upon placement and maintenance of appropriate signs erected in accordance with the requirements of CVC Section 21107.8.

SECTION 3. That the placement and maintenance of such signs shall be the responsibility of the property owner and/or the Homeowners' Associations' controlling the privately owned and maintained parking facilities, as required by the CVC.

SECTION 4. 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 1st day of July, 2015.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit 'A': Location Map

Exhibit A



Legend

- Centerlines
- Parcels
- City Boundary
- Moorpark Area Of Interest

1" = 94 ft	702 Walnut Street	06/17/2015		
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This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Moorpark staff for the most up-to-date information.