

# Carr, Jeff

## Public Comment

**From:** [Jeff Carr](#)  
**To:** [City Clerk](#)  
**Subject:** Public Comments Feb 6 2024--Item C-1 Closed Session Items  
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[EXTERNAL EMAIL]

Public Comments February 6, 2024--Item C-1 Closed Session Items

Generally, no one wants to take legal action against the city. I've often frowned on it because I feel that in a well managed city there should be a better means to solve our problems and disagreements.

However, I'm in full support of this citizen action. From my view of the situation, the city has been continuously deaf to public concerns and sloppy with their handling of the parking program from day one.

I believe there was a Brown Act violation with the recent vote to raise parking rates. It wasn't part of the agenda, and raising the rates was not discussed by the Parking Ad Hoc Committee or presented in the report to the city. A motion to raise the parking rates was out of order. If anything, it should have been limited as a direction to the city manager to bring details for a rate increase to the city council for a discussion and/or vote at a subsequent council meeting.

A more appropriate action by the council would have been to question the city's handling of the Parking Ad Hoc Committee and why the results did not match the council's previous direction and objectives for the committee. This action would have best served both the council and the people you represent. As a participant in the committee, I feel the city mishandled the committee (despite protests) in a manner that insured its failure to meet council direction. It is disappointing that the council failed to defend their 'direction to council' and the original motion from Mayor Martin that formed the committee.

What is also extremely disappointing, is that the council majority on the vote in question knew of the procedural concerns with the vote. These concerns came from the public and other council members. The majority council members had the opportunity to bring the matter back to the council for a public review, public comment, and another vote; but sadly failed to do so. Instead these council members let this matter fester to where it is now: requiring expensive hours of city attorney time and generating unfavorable press for the city.

Regarding whether the city violated state law by approving the parking program using a resolution vs. an ordinance---my first impression was, 'I'm not surprised'. From my view, the city is too often sloppy in procedural matters. If you look at my public comments over the years, I believe the majority of those are related to 'process' problems. Sadly, even when these matters are brought to the city's attention, nothing happens and no corrective action is taken. Because of this experience with the city, I sympathize with this current legal action against the city. It seems it might be the only way to get the city's attention.

**Carr, Jeff**

## **Public Comment**

In most matters related to public payments and fees, I feel an ordinance is the appropriate choice. The city showed their feelings towards the ordinance process when they changed the approval requirement for water and sewer rate increases from ordinances to resolutions. As I recall, the city considered the ordinance process an unnecessary "Administrative Burden". It appears in the current situation that this laziness and disregard for necessary public notice and interaction may have come back to bite the city.

Overall--I feel your decisions in closed session should be easy. Disregard (cancel) the vote in question; and direct the city manager to take steps to return the original agenda item in question to a subsequent council agenda--and this time do things right. And--if the council finds the city did incorrectly use a resolution when an ordinance is required per state law--then stop the downtown parking enforcement immediately and direct the city manager to take steps to explain and correct the problem for presentation as an agenda item at a subsequent council meeting.

Jeff Carr--Paso Robles, CA