



Council Agenda Report

From: Ty Lewis, City Manager
Elizabeth Hull, City Attorney

Subject: Discussion and Consideration of Introduction and First Reading of an Ordinance Repealing Ordinance No. 1135, Which Amended Portions of Paso Robles Municipal Code Chapter 12.42, Parking Management

CEQA Determination: The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

Date: May 7, 2024

Facts

1. In February 2024, the City determined that amendments to Chapter 12.42, Parking Management, were necessary to implement the Downtown Paid Parking Program ("Program").
2. On February 7, 2024, the City suspended the implementation of the Program until amendments could be adopted to clarify the process for setting rates, reestablishing the downtown parking zone and other clean up measures.
3. On March 5, 2024, the City Council of the City of El Paso de Robles adopted Ordinance No. 1135 N.S. amending Chapter 12.42, Parking Management, to address the issues that had been identified with the existing Program.
4. Following the adoption of Ordinance 1135 a referendum petition was circulated to place portions of Ord 1135 on the November 2024 ballot.
5. It has been determined the petition failed to satisfy the requirements of the Elections Code and is anticipated to be formally rejected by the City Clerk on May 8, 2024. Following the rejection of the referendum petition by the City Clerk, Ordinance 1135 will be effective, and the City may choose to reinstate the Program.

Options

1. Take no action (if the Council takes no action Ordinance No. 1135 would become effective unless suspended pursuant to the previous agenda item);
2. Introduce for first reading by title only, an ordinance of the City Council of the City of El Paso de Robles repealing Ordinance 1135 N.S., an Ordinance of the City of El Paso de Robles amending portions of Paso Robles Municipal Code Chapter 12.42, Parking Management;
3. Provide alternative direction to staff.

Analysis and Conclusions

In February 2024, the City suspended the Downtown Paid Parking Program while reviewing its implementation. On March 5, 2024, the City Council adopted Ordinance 1135 which amended portions of Chapter 12.42 to clarify the process for setting parking rates, reestablishing the downtown parking zone and other clean up measures. Following the second reading but prior to the effective date the City

received a referendum petition related to Ordinance 1135. The referendum petition is deficient and will not be placed on the November ballot and the Ordinance will now be effective.

Though not required by law as the referendum petition is invalid and not binding on the Council, the Council may choose to repeal Ordinance 1135.

If the Council repeals Ordinance 1135, prior to the implementation of any paid parking program in the future additional ordinances will be required to clarify the ambiguities in the existing Chapter 12.42 and to establish the paid parking area.

Fiscal Impact

If the Council takes no action, the paid parking program could restart in the near future and could be a fiscally self-sustaining program. However, if the ordinance is repealed there would be no additional revenue or cost associated with it.

As of March 31, 2024, the loan balance on the General Fund loan which was used to establish the program originally is approximately \$527,683. If City Council were to not reestablish the downtown parking program, the program would be dissolved, and the General Fund loan written off.

CEQA

The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

Recommendation

Staff has no recommendation.

Attachments

1. Ordinance XXXX – Repealing Ordinance 1135