



OVO Operations and Management Plan July 21, 2023

This Operational and Management Plan is divided into three sections: Permit Program, Safe Parking Program, and Enforcement.

I. PERMIT PROGRAM

Residents. Residents will be able to apply for and obtain limited-duration oversized vehicle (OV) parking permits, as permitted by the Municipal Code. (Santa Cruz Municipal Code ("SCMC") sections 10.40.120(g)(1), (h), (i).)

Visitors of Residents. Visitors of residents will be able to apply for and obtain limited-duration OV parking permits, as permitted by the Municipal Code. (SCMC sections 10.40.120(g)(1), (h), (i).)

Hotels. Hotels will be able to apply for and obtain OV parking permits, which may be exclusively used by the hotel's registered guests. (SCMC section (g)(2)).

Contractors. Contractors will be able to apply for and obtain OV parking permits for commercial vehicles that are used for business purposes in the City of Santa Cruz. (SCMC sections (g)(8), (n)).

The above-referenced permits will be able to be obtained by contacting the Parking Offices at 831-420-6100 or by going to the Parking Office at the City's Locust Street Garage at 124 Locust Street.

Insufficient Safe Parking Capacity. If a person living in an OV registers for the Tier 2 safe parking program but adequate capacity is not available to accommodate them, they will be eligible for a parking permit that temporarily allows them to park in a designated on-street location between the hours of midnight and 5:00 a.m. until such time that capacity becomes available in the Tier 2 parking lots. (SCMC section (g)(7).) These permits will be assigned upon registration in the Tier 2 safe parking program.

II. SAFE PARKING PROGRAM

The City operates a three-tiered safe parking program, offering safe locations for individuals dwelling in their oversized vehicles. The operations and management of each of the separate tiered programs is listed below:

Tier 1: Emergency, One Night Parking

Overview: The Tier 1 safe parking program offers access to emergency, one night only, overnight parking for individuals who need an immediate, sanctioned parking spot. Tier 1 participants are immediately enrolled in the Tier 2 program, as space allows, in order to extend their stay from one-night only to up to 30 days. The Tier 1 program is currently co-located with Tier 2 parking in City Lot 4, at the southeast corner of Lincoln and Cedar Streets. An alternative Tier 1 site that will be used as needed is in City Lot 26 at the southwest corner of Center and Laurel Streets, adjacent to the Police Department. Trash and hygiene services will be available at the Tier 1 safe parking locations.

Enrollment: The Tier 1 safe parking program is designed for immediate, off-hour access to safe parking spots and, when possible, individuals will be directed to that program by parking enforcement staff. Tier 1 program enrollment will occur if/when parking enforcement staff encounter an individual who would prefer to relocate to a safe parking location in lieu of receiving a citation or being towed due to violation of the OVO. When this situation occurs during normal business hours, the individual will be directed to the Tier 2 program. When the situation occurs off hours, the individual will be enrolled in the Tier 1 program by parking enforcement staff.

Individuals who are enrolled in the Tier 1 program will be provided a one-night permit and assigned a parking spot in City Lot 4, or in Lot 26 if Lot 4 is no longer accepting Tier 1 participants. The individual will be provided a participation agreement as well as a resource list to assist the individual in seeking longer-term parking options, including contact information for the City's Tier 2 program and the Association of Faith Community's Safe Spaces parking program.

Management: At present, parking enforcement staff are referring individuals directly to the Tier 2 program, as there has consistently been capacity. When OVO enforcement begins, the Tier 1 parking spot availability as well as management of the Tier 1 program will be conducted by staff of the Police Department. The City's Homelessness Response Team will work with parking enforcement staff to ensure Tier 1 participants have access to the Tier 2 program when capacity allows. The Tier 1 program will be sited adjacent to the Police Department, so officers will have easy access to program capacity.

Tier 2: Night-Only Parking

Overview: The Tier 2 safe parking program offers access to overnight parking for up to 30 days, with extensions granted when capacity allows. Program parking spots are located in City-operated lots. Enrolled participants are given permits that match designated parking spaces. Trash and hygiene facilities are available at overnight parking sites. The Tier 2 program is currently sited at City Lots #4 and #8, on the northeast and southeast corners of Lincoln and Cedar Streets in downtown Santa Cruz. Additional locations will be opened across the city as demand dictates. An attached map shows the anticipated locations for safe parking program expansion.

Enrollment: Tier 2 program enrollment occurs during regular business hours. Interested individuals who live in an oversized vehicle call City staff to obtain information about the program and schedule an enrollment appointment. During non-business hours, individuals are encouraged to leave a voice message that will be returned the next business day. Enrollment in the Tier 2 safe parking program is simple. Individuals are asked to sign a participant agreement which states the low-barrier rules of the program. Participants are also asked to complete an enrollment form that captures basic contact information, license plate number, and if the participant would like to be connected to the City's Outreach Team for service connection.

Once enrolled, the participant is assigned a designated parking spot and provided a permit for said spot for 30 days from enrollment. If capacity allows and participants are interested, a new permit for an additional 30 days will be issued.

Management: The City's Homelessness Response Team currently works with Parking staff to oversee the Tier 2 safe parking program. Space availability is maintained on a City-wide shared document, as are participant agreements and enrollment forms, ensuring program staff have access to up-to-date information and materials to administer the program. Weekly staff meetings are also utilized to collaborate on program implementation.

Tier 2 program participants are encouraged to reach out to staff (same contact number used to enroll in the program) should they have any problems utilizing the program and if/when they no longer wish to utilize their permit, availing the spot for future interested participants.

The Tier 2 program is currently operational in two City-owned parking lots. The safe parking program spots are demarcated so daytime paying lot customers are aware that the spaces cannot be used from 7pm to 7am. Parking staff ensure the demarcations are updated and visible. Staff also ensures that the hygiene units and refuse bins are properly serviced.

City staff has identified additional City parking lots to be opened to expand capacity for the Tier 2 safe parking program as needed. As the current lots begin to fill, staff will prepare additional lots for operation, including the demarcation of spots and installation of hygiene stations. Staff will ensure that the new, additional lots are brought online prior to capacity filling at the existing program lots to maintain capacity for new participants. The City is committed to expanding the Tier 2 program from the current 12 spots as demand increases, with the expected capacity to be at least 46 Tier 2 spots, utilizing various City lots and property, as shown on the attached map.

As part of their regular enforcement duties, Parking staff will monitor utilization of the Tier 1 and Tier 2 programs. Should program participants be in violation of the program rules, such as hours of operation, staff will inform the Homelessness Response Team, who will in turn reach out to the participants directly.

Should the Tier 1 or Tier 2 programs be at capacity, the City will make available Oversized Vehicle permits, allowing the permitted vehicles to park at a designated location until space capacity becomes available. When safe parking spaces become available, the issued permit for on-street parking will be revoked, and the individual will need to relocate into the safe parking program and vacate their assigned (on-street) overnight parking location.

Tier 3: 24/7 Parking

Overview: The Tier 3 safe parking program provides participants designated parking spots that can be utilized 24/7 along with wraparound services, including case management and housing navigation. The program currently has capacity for 17 oversized vehicles and provides participants access to hygiene services, electrical charging, community gathering area, and transportation to and from the program site. Capacity varies from approximately 15 to 20 vehicles, depending on the size of the vehicles participating in the program at any given time. The Tier 3 program is currently operated by The Free Guide and located at the National Guard Armory building in upper DeLaveaga park.

Enrollment: Those interested in the Tier 3 program call The Free Guide staff to obtain information about the program and schedule an enrollment appointment. Since the program inception, The Free Guide staff have conducted outreach to individuals dwelling in oversized vehicles throughout the City of Santa Cruz, providing information about both the Tier 2 and Tier 3 programs. There is currently a waitlist for the Tier 3 program. If, in the future, if there is no longer a Tier 3 waitlist, the City will outreach to Tier 2 participants to try to direct them to the Tier 3 program.

Prior to enrollment in the Tier 3 program, staff screen participants to ensure they are aware of program expectations, including the requirement to actively engage in case management, work toward employment, and adhere to program rules. Individuals are asked to complete and sign participant agreement and enrollment forms, as well as goal setting documents. Newly enrolled participants are assigned a designated parking spot, oriented to the program staff, and helped to integrate into the program community.

Management: The Free Guide is under contract with the City to operate the Tier 3 program. Free Guide and City staff meet regularly and are in close communication. The Free Guide staff oversee the Tier 3 program, providing participants with case management and housing navigation, ensuring participants are adhering to program rules and timelines, conducting outreach, and managing the enrollment waitlist.

Requests for Reasonable Accommodation

Those who wish to participate in the City's OV safe parking program, but who are unable to do so due to a disability, may make a request for reasonable accommodation, which may be made by submitting the City's ADA Grievance form, located online here:

<https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/accessibility-grievances> .

Information to this effect will be posted on the City's safe parking website.

The City is not required to grant any particular request for reasonable accommodation. Requests for reasonable accommodation will be evaluated on a case-by-case basis.

Nothing in this section shall be construed as an admission by the City as to the applicability of any particular law (including, but not limited to, the Americans with Disabilities Act and the California Disabled Persons Act) to the City's Oversized Vehicle Ordinance, Safe Parking Programs, or any particular request for reasonable accommodation.

III. ENFORCEMENT

General Enforcement

A violation of the 12AM-5AM OV parking prohibition will result in a \$50 parking ticket. (SCMC § 10.40.120(o).) Tickets will only be issued by trained City personnel and will not be issued by volunteers. When tickets are issued, the citing personnel will also provide a flyer, which provides information regarding the City's Oversized Vehicle Ordinance, the City's dismissal of the first ticket (see below), the administrative review process, and safe parking programs.

As stated in the flyer, the first ticket issued to an OV for a violation of SCMC section 10.40.120(a) will be considered a warning and will be dismissed by the City.

Special Towing Protocols – 72 Hour Notice Requirement

As stated above, a violation of the 12AM-5AM OV parking prohibition will result in a \$50 parking ticket. (SCMC § 10.40.120(o).) With that said, the California Vehicle Code has a provision that allows for towing in certain circumstances where there have been five or more unpaid tickets.¹ In circumstances where those 5 unpaid parking tickets are all for violations of SCMC § 10.40.120(a), the City will post to the vehicle a 72-hour written Notice of Intent to Tow, prior to actually towing the vehicle.

Illegal Dumping

Leaking blackwater tanks and unpermitted dumping of blackwater tanks are not permitted on City streets or within the safe parking program, as this presents the potential for environmental and health impacts. Parking staff will proactively monitor the safe parking locations for evidence of leaking fluids. Upon finding of leaking fluids, parking staff, in coordination with the City's Homelessness Response Team, Police, and Public Works Environmental Compliance teams, as needed, will seek to identify the type and source of the leak. Parking staff, in coordination with the owners of the offending vehicle and other internal groups noted above, will ensure that the area is cleaned. Safe parking participants who have a leaking blackwater tank will be required to take corrective actions, such as repairing the tank so that it does not leak; emptying the tank at an authorized location and refraining from using the tank, so that no blackwater (or greywater) leaks from the vehicle; or other steps to prevent the leaking of and ensuring the proper disposal of blackwater. Hygiene facilities are available at all safe parking sites, and they are also available at various parks and other public facilities throughout the day. Those with inoperable blackwater tanks will be directed to utilize available hygiene facilities so that blackwater tanks do not leak as a result of their use. In addition to proactive monitoring at the safe parking sites, various City staff can observe, smell, or otherwise identify issues related to leaking blackwater or unpermitted blackwater dumping. Members of the public may also report such instances to the City, with the reporting mechanism identified on the City's website. In cases of illegal

¹ See Cal Veh Code § 22651(i)(1): ("If a vehicle, other than a rented vehicle, is found upon a highway or public land, or is removed pursuant to this code, and it is known that the vehicle has been issued five or more notices of parking violations to which the owner or person in control of the vehicle has not responded within 21 calendar days of notice of citation issuance or citation issuance or 14 calendar days of the mailing of a notice of delinquent parking violation to the agency responsible for processing notices of parking violations, or the registered owner of the vehicle is known to have been issued five or more notices for failure to pay or failure to appear in court for traffic violations for which a certificate has not been issued by the magistrate or clerk of the court hearing the case showing that the case has been adjudicated or concerning which the registered owner's record has not been cleared pursuant to Chapter 6 (commencing with Section 41500) of Division 17, the vehicle may be impounded until that person furnishes to the impounding law enforcement agency all of the following:

- (A) Evidence of his or her identity.
- (B) An address within this state where he or she can be located.
- (C) Satisfactory evidence that all parking penalties due for the vehicle and all other vehicles registered to the registered owner of the impounded vehicle, and all traffic violations of the registered owner, have been cleared."

dumping, the Police Department (PD), Public Works Environmental Compliance (PWEC), or Code Compliance will investigate, assess, and, if justified, engage in a civil or administrative enforcement process to address the illegal dumping. The City will plan to ask its stakeholder group to discuss potential private fundraising opportunities that might be available to work in collaboration with the City's safe parking programs, in order to have the funds to remedy leaking blackwater tanks or other dangerous fluids.

PWEC:

The Environmental Compliance Program operates an Enforcement Response Plan that dictates levels of penalties for illegal and illicit discharges; storm water pollution including motor oil drips, radiator coolants and wastewater into the City storm drains and sidewalks and streets. (Muni Code 16.08.) The initial NOV (Notice of Violation) carries a minimum fine of \$500. Each NOV is appealable through the City Title 4 processes. There are other grades of penalties including Warning Letters and remedial classes to secure desired changes.

- City has three inspectors in environmental compliance
- Response is typically immediate
- When inspector identifies an issue as part of an inspection
 - o If OV dweller is present, inspector notifies individual of violation and requests that they clean up the spill, leak, or dumped materials
 - o If OV dweller is not there, PWEC inspector first tests to see if the material contains human waste. If it is human waste, EC calls our City clean-up crew in Public Works. Costs for the clean-up work are charged to the OV owner, in coordination with PD
- Inspectors may call PD depending on the nature of the issue
 - o If a City clean-up is initiated, inspectors call PD to get the vehicle owner's information so that they can be billed.
 - o Inspector also calls PD, so that PD can determine if a criminal citation is warranted. PD can cite vehicles under the Penal Code and similar statutes, while PWEC inspectors cannot
- Inspectors may call county Env. Health / Hazardous Chemicals Division as needed, depending on the nature of the incident
- PWEC typically records inspections (via dashboard camera)
- If blackwater tank needs to be drained, PWEC coordinates with Public Works to drain the tank. The vehicle owner is required to pay for the service, and payment plans are offered to those who cannot afford to pay.

PD:

- PD response time depends on resources – could be immediate or could be longer based on prioritization of calls – and officers make first contact in response to calls
- If obvious that fluids are leaking from the OV, then they issue a citation.
 - o If someone is present and they have the capability, the person must clean up the issues.
 - o If someone is not present or if they do not have the ability to clean it up, PD calls PWEC or the Fire Dept. (if it's oil or antifreeze)
- If PD is unsure about what the fluids are, they call PWEC
- All contact is on body cameras.

If towing is required by PD or by PWEC, then the Public Works Waste Collections team drains all fluids (including blackwater tanks) before moving.

Code Compliance:

- Response time depends on resources – goal is for same day inspection but priority calls may pull resources to another location
- If complaint is received on public property, referral goes PWEC
- If complaint is received on private property, then Code Compliance Officer:
 - o Visits site
 - o Determines if a violation exists:
 - Sometimes referral occurs to PD or PWEC, depending on the nature of the issue
 - If unclear as to violation (unknown materials), referral to PWEC occurs
 - If violation exists:
 - Typically the property owner is responsible
 - Owner required to do clean-up
 - If clean-up is not accomplished, then City would abate the issue and charge the property owner

Littering

PWEC transfers calls to Public Works Sanitation team.

Homelessness Response Team sends the Homelessness Response Field Crew for clean-up. That crew has two regular routes that they do on a regular basis and go to the areas where OV's are typically located to proactively clean trash from the public right-of-way.

Code Compliance refers complaints on public property to Public Works Sanitation team. On private property, they contact the property owner and require that the property owner abate the issue. Fines are levied for non-compliance, and the City can abate the issue (and charge the property owner for the work) if the property owner does not comply.

Police respond to littering complaints and issue citations for littering if they witness the littering or if someone else witnesses it and is willing to go on record as a witness. PD requires the offending party to clean up the litter, and they call the Public Works Sanitation team for cleanup if the person does not clean the litter up themselves. Costs of the clean-up can be billed to the offending party.