



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Ristow
Jim Shannon

**SUBJECT: OVERSIZED VEHICLE
REGULATION PILOT PROGRAM**

DATE: May 25, 2024

Approved

Date: 5/25/24

RECOMMENDATION

- A. Approve the Oversized Vehicle Regulation Pilot Program as described in this memorandum.
- B. Approve the addition of the following ongoing positions in the 2024-2025 Proposed Operating Budget:

Transportation Department

- 1.0 Parking Manager I
- 1.0 Parking & Ground Transportation Administrator
- 1.0 Senior Parking & Traffic Control Officer
- 1.0 Senior Applications Analyst
- 2.0 Parking & Traffic Control Officer

Parks, Recreation and Neighborhood Services Department

- 1.0 Community Activity Specialist

- C. Approve the following 2024-2025 Proposed Operating Budget adjustments in the General Fund:
 - (1) Increase the Transportation Department's Personal Services budget by \$698,239;
 - (2) Increase the Transportation Department's Non-Personal/Equipment budget by \$479,439;
 - (3) Increase the Parks, Recreation, and Neighborhood Services Department's Personal Services budget by \$91,322;
 - (4) Establish the Oversized Vehicle Regulation Pilot Program City-Wide Expenses budget to the Transportation Department in the amount of \$231,000; and
 - (5) Decrease the Oversized Vehicle Regulation Reserve by \$1,500,000.

D. Approve the following 2024-2025 Proposed Operating Budget adjustments in the General Purpose Parking Fund:

- (1) Increase the Personal Services appropriation to the Transportation Department by \$61,255; and
- (2) Decrease the Unrestricted Ending Fund Balance by \$61,255.

EXECUTIVE SUMMARY

This Manager's Budget Addendum (MBA) recommends the Administration's initial strategy to implement the direction included in the Mayor's March Budget Message for Fiscal Year 2024-2025, as approved by the City Council. While instituting comprehensive regulation of oversized vehicles that incorporates all of the elements that have been discussed by the City Council over the course of the fiscal year is not feasible given the City's significant resource constraints, the Administration recommends piloting the following approach that seeks to deliver the right level of service, at the right location, at the right time, in a manner that is transparent to the public.

Approval of this MBA will permit the Transportation Department (DOT) to execute the recommended spending plan and hire required staff to identify areas impacted by the parking of oversized vehicles on city streets. Staff will then pilot a range of temporary and permanent parking restrictions to facilitate the clean-up of impacted areas, encourage vehicle circulation, and begin to help mitigate the potential environmental and safety impacts posed by oversized vehicles parking for extended periods of time on city streets. Specifically, at a cost of \$1.5 million in 2024-2025 (\$1.8 million ongoing) in the General Fund, offset by the elimination of the Oversized Vehicle Regulation Reserve established in the 2024-2025 Proposed Operating Budget, the Citywide Regulation of Oversized Vehicles Pilot Program (total cost across all funds of \$1.6 million) is expected to:

- Update San José 311 (SJ311) to provide options for public reporting of oversized vehicles and corresponding data analysis;
- Conduct two citywide on-street inventory counts of oversized vehicles and develop an initial list of prioritized locations driven by data analysis, and informed by equity considerations, as well as City Council and community input;
- Institute temporary tow-away zones and conduct enhanced street sweeping and site cleanup at approximately 30 locations in 2024-2025 (50 locations annually);
- Conduct permanent parking restriction reviews at up to 10 locations in 2024-2025; and
- Develop a pilot program to remove 10-20 oversized vehicles from circulation after being towed through a mechanism such as a recreational vehicle buyback, lien sale purchases, and/or junked vehicle disposal.

Though modest in scale, this program provides the important first steps of meaningful enforcement capability and lays the foundation for future investments to better regulate oversized vehicles throughout San José.

BACKGROUND

Throughout 2023 and thus far in 2024, the City Council and various Council Committees have heard items related to concerns around oversized vehicles, vehicle blight, and lived-in vehicles parked on City streets, including the following:

- August 9, 2023: Rules and Open Government Committee
 - Item C.1: Addressing Encampments Around Schools
- September 13, 2023: Rules and Open Government Committee
 - Item C.2: Regulating Oversized Vehicles Citywide
- January 30, 2024: City Council meeting
 - Item 8.1: Regulating Oversized Vehicles Citywide
 - Item 8.2: Addressing Encampments and Oversized Vehicles Around Schools
- April 9, 2024: City Council meeting
 - Item 3.3: Proposed Ordinances Authorizing Removal of Vehicles Parked in Violation of Prohibited Large Vehicle and No Overnight Parking Zones

Mitigating the impacts of prolonged parking of oversized vehicles across a city with over 2,500 miles of streets is challenging due to the surrounding legal framework and requires coordination across multiple departments. Considering this complexity, DOT and its partners seek to operationalize a program that can deploy:

- Temporary tow-away zones and enhanced street cleaning/sweeping;
- Permanent signs that restrict oversized parking in designated areas (tow-away); and
- Permanent signs that restrict overnight parking, 10 p.m. to 6 a.m. (tow-away)

Deployment of temporary tow-away zones and enhanced street cleaning and sweeping is an approach that provides significant flexibility as it can be applied without the burden of an engineering analysis, is enforceable at any time during continuous 24-hour periods, and can be implemented on any City of San José public street. A temporary tow-away zone approach is the most scalable option of those presented above.

Installation of permanently signed parking restrictions that can result in the towing of vehicles, including prohibition of oversized and overnight (10 p.m. to 6 a.m.) parking, are approaches that add significant complexity and costs. While permanent restrictions may be suited for sensitive areas within the city— near a K-12 school or waterway for example— the execution requires additional engineering work and is not applicable to every city street. Staff must be careful to mitigate potential impacts in areas with existing parking occupancy challenges. Additionally, overnight enforcement requires related support staff, including outreach and housing teams that are not traditionally on duty overnight, and emergency shelter services that are not available during those hours. **The goal of this program will be to seek compliance at the lowest possible level of complexity.**

DOT estimates that managing a comprehensive program that includes broad implementation and ongoing enforcement of temporary enhanced street cleaning and permanent parking restrictions citywide could cost up to \$20 million per year. Understanding that the problem exceeds available resources, and the delivery of a complex new program at scale first requires thoughtful planning and iteration of approaches, the 2024-2025 Proposed Operating Budget set aside \$1.5 million (\$1.8 million ongoing) into the Oversized Vehicle Regulation Reserve that can be used to initiate pilot programs that respond to the challenges discussed above.

ANALYSIS

The Citywide Regulation of Oversized Vehicles Pilot Program will focus on identifying areas impacted by the parking of oversized vehicles on city streets and pilot a range of available temporary and limited permanent parking restrictions.

Program Scope

To maximize the impact of the initial \$1.5 million of General Fund resources (\$1.6 million across all funds), the program structure will lean heavily on temporary tow-away zones and is expected to result in the following during 2024-2025:

- Update SJ311 to provide options for public reporting of oversized vehicles and corresponding data analysis;
- Conduct two citywide on-street inventory counts of oversized vehicles and develop an initial list of prioritized locations driven by data analysis, and informed by equity considerations, as well as City Council and community input;
 - The initial list of prioritized locations will be scheduled for implementation with the expectation that each individual location cleanup and any necessary enforcement activities will take roughly 3-6 weeks to complete providing the potential opportunity to initiate one new location each week
- Institute temporary tow-away zones and conduct enhanced street sweeping and site cleanup at approximately 30 locations in 2024-2025 (50 locations annually);
- Conduct permanent parking restriction reviews at up to 10 locations in 2024-2025; and
- Develop a pilot program to remove 10-20 oversized vehicles from circulation after being towed through a mechanism such as a recreational vehicle buyback, lien sale purchase, or junked vehicle disposal.

During the second year, the first full year of implementation, DOT expects to expand enhanced sweeping and site cleanup to 50 locations across the city. To ensure efficiency and effectiveness, pilot locations will need to be limited by size, volume of vehicles, and conditions. If potential locations exhibit conditions such as excessive tents, structures, or vehicles parked off-street, or if there is a significant concentration of oversized vehicles spanning multiple blocks, the site may crossover into Beautify San José's encampment management work and further coordination would be required to define unified approaches.

During the first year, up to 10 of the locations where temporary tow-away zones are implemented may be reviewed, analyzed, and considered for further treatment, including the installation of permanent parking restrictions. Contemplation of permanent installations beyond year one will require additional outreach, enforcement, and engineering resources. As part of the broader initiative to decrease the presence of inoperable or poorly maintained oversized vehicles reappearing on city streets following tow, a supplementary project will be incorporated into the program – as directed by the City Council’s approval of the Mayor’s March Budget Message for Fiscal Year 2024-2025 – involving the development of a junk vehicle disposal, lien sale purchase, and recreational vehicle buyback led by the Police Department and in coordination with DOT, the Housing Department, and the Parks Recreation and Neighborhood Services Department (PRNS).

Program Approach

The disparity between what may be required to provide a comprehensive enforcement program across all city streets and resources available for the initiation of this program requires staff to be focused, deliberate, and data-driven in the delivery of this service. Resident and City Council feedback will continue to inform decision-making, but the backbone of this program will rest on consistent data collected by DOT staff that will establish a baseline condition, allow for efficient and transparent communication with all stakeholders with respect to prioritization, and processes that build a foundation of data analysis that lead to a public-facing dashboard to keep the public informed as to the work performed. Figure 1, below, outlines an iterative and proactive strategy centered around multiple data points and analysis that will identify and prioritize sections of city streets affected and considered for inclusion in the pilot.

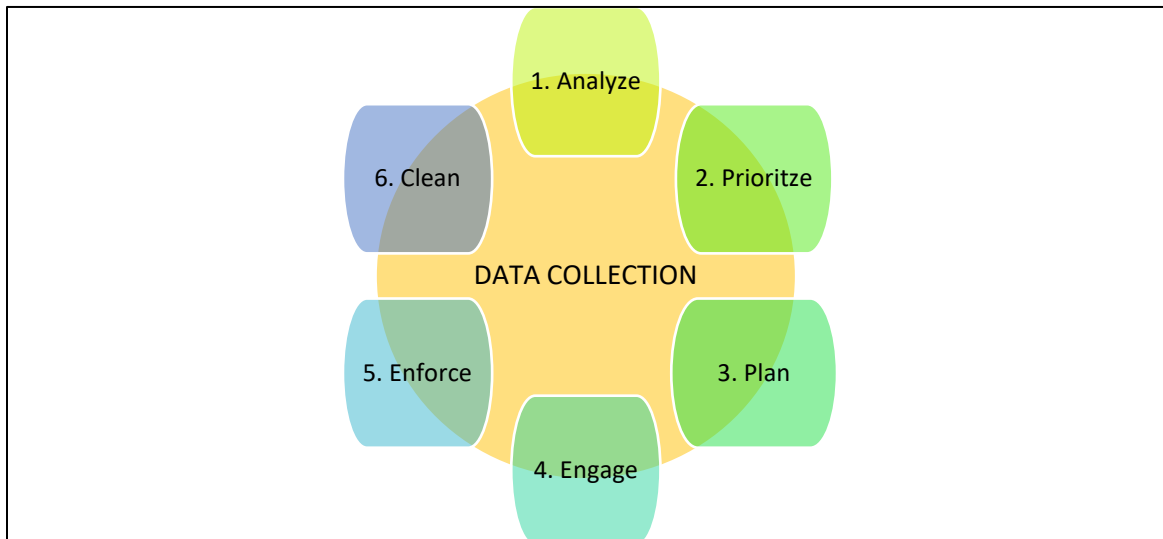


Figure 1 – Citywide Regulation of Oversized Vehicles Pilot Program Approach

This work will require the collaboration of teams across DOT, PRNS, Police, and Housing. To limit redundancy and reduce disruptions to existing City service delivery and programs, the pilot will consider adjacent and complementary work being done by various City Departments to address encampments and homelessness in a coordinated manner. Staff will analyze collected data, potentially including data related to negative consequences associated with oversized vehicles parked on city streets (e.g., crime, excessive trash or repeat clean-ups, traffic crashes, fire, illegal dumping, etc.) to help identify and prioritize pilot locations, then determine the appropriate intervention at the specified site, typically starting with temporary tow restrictions.

Data Collection

DOT staff will perform a citywide inventory of oversized vehicles parked on city streets and assess additional factors present in the surrounding areas that may be contributing to environmental, mobility, public safety, and commerce challenges. This data will be compared to DOT's previous inventory collected in April 2023 and used to establish a baseline understanding of where the city's most impacted and problematic areas exist. Additionally, the information will be used to assist in determining suitable location size parameters, condition limits, and other potential program qualifiers.

Oversized vehicle inventory efforts will continue to occur on a semi-annual basis to understand changing conditions and pilot program impacts, including vehicle circulation and movement patterns, and trash and biowaste collection data. In addition, continuous data collection will aid in identifying where more permanent parking restrictions may be warranted. Finally, the pilot data collection efforts will help frame and inform the development of core service metrics, data reporting models, and help define the success of programs across the coordinating departments.

Supplementing the point-in-time oversized vehicle inventory, DOT staff will leverage information from partners in Housing, PRNS, and the Environmental Services Department to understand not just the location of oversized vehicles but the impacts to the surrounding area and other priority objectives of the city. For example, additional data to be analyzed will include proximity or impacts of the congregation of oversized vehicles on the following:

- K-12 schools and parks
- 500-feet of waterways and/or storm drain inlets
- Emergency Interim Housing (EIH) sites
- Priority Safety Corridors
- Parks
- Adjacency to bike lanes
- Parking occupancy and existing parking restrictions
- Quantity of oversized vehicles in single location
- San José Equity Atlas
- Size of impacted area
- Encampment Management Program and outreach efforts

Location Prioritization

As the number of locations with congregations of oversized vehicles will far exceed the City’s available resources, DOT will utilize the data collected and analyzed to establish priority locations for temporary tow-away zones, enhanced street sweeping, cleanup efforts, and consideration for permanent parking restrictions. Priority will depend on the totality of impacts against the various conditions identified above, with the goal of delivering the right level of service, at the right location, at the right time in a manner that is transparent to the public. DOT staff will also engage and coordinate with partner departments to minimize disruption to required existing workloads such as housing outreach efforts. Additionally, as part of this work, SJ311 Vehicle Concerns is expected to be updated to include an option allowing San José communities the opportunity to report oversized vehicle concerns. Reports would not result in on-demand services, instead the data would be used to help inform pilot location prioritization efforts.

While establishing location qualifiers and prioritizing efforts are crucial for ensuring the efficiency and effectiveness of the pilot program, staff recognizes the necessity for the program to remain nimble and accommodate potential outlier locations that may not precisely align with established program parameters. **To ensure the ability of each City Council Office to serve their communities, staff will work with each office to ensure there are opportunities for pilot services to reach across all City Council Districts.** As subsequent data is gathered, both during the semi-annual citywide point-in-time inventory and via SJ311, new locations or changes to existing ones are expected to emerge. Consequently, the prioritization list will be revisited with each new inventory cycle. The program will work to remain as flexible as possible to respond to emerging developments.

Planned Response

Once prioritized, locations will be further assessed to evaluate the appropriate level of tiered service delivery as outlined below in Figure 2.

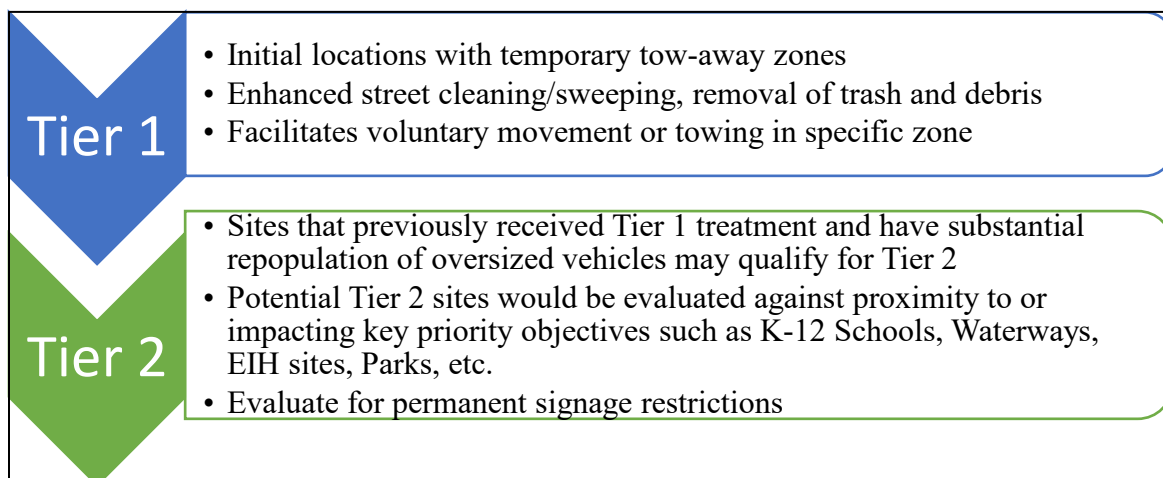


Figure 2 – Tiered Service Delivery Model

Engagement

A component of the pilot and associated budget will include one new Community Activity Specialist within the PRNS Beautify San José program. This person will be tasked to assist DOT in the Citywide Regulation of Oversized Vehicles Pilot Program. The engagement efforts will center around notification and education of existing or future parking restrictions or upcoming enhanced street sweeping efforts. If there are opportunities for vehicles and/or inhabitants to relocate to EIH or supportive parking sites, the engagement team will work closely with the Housing Department and their contracted vendors as needed to ensure clear messaging and options are communicated. Additionally, as an oversized vehicle buyback program is established, engagement may include information on the opportunity to voluntarily sell/dispose of a vehicle.

Parking Enforcement

The additional proposed staffing within DOT's Parking Compliance Unit will focus on ensuring compliance with existing or new parking restrictions within the identified pilot areas. The City's enforcement efforts and philosophy are focused on compliance with posted regulations, which will likely result in more relocation and circulation of oversized vehicles than towing.

In temporary tow-away zones, the parking compliance officers will visit sites several times during the lead up to the effective tow-away permit day(s) to ensure signage is posted, logged, and warnings are provided to vehicles in the area. On the effective dates of the temporary tow-away permit, officers will engage the area and tow vehicles if necessary to facilitate the cleaning and sweeping of the streets in the area. For areas that receive permanent parking restrictions, the Parking Compliance Unit will establish enforcement routes and a cadence of site visits similar to the Unit's existing proactive patrol efforts to encourage compliance with newly established restrictions.

Site Cleanup

Once an area is clear of vehicles, site cleanup efforts will begin and will be coordinated with the various partner departments/teams as necessary based on site conditions and evaluations. It is expected that efforts will include the following:

- Cleanup and removal of trash in the area;
- Biowaste removal and disposal; and
- Enhanced street sweeping.

Permanent Sign Installations (where applicable)

Oversized restriction can only be installed after an engineering assessment identifies a specific safety hazard to vehicles, bicycles, and/or pedestrians that exists when oversized vehicles are parked. Overnight restrictions present additional challenges as many essential partners either do not operate or only provide limited services, including outreach, temporary shelter availability, towing, etc., during late night or early morning. Impacts from permanent restrictions that reduce

parking availability for all vehicles must also be managed on a broader scale to ensure adequate on-street parking remains available for neighborhoods and businesses. The installation of permanent restrictions, therefore, will be limited at up to 10 locations during the first year of the pilot and only after temporary restrictions and clean-up efforts are unsuccessful in providing a noticeable reduction of impacts.

Timeline and Metrics

During year one of the pilot, program standup activities including program coordination and administrative work, hiring new staff, baseline data collection and analytics are expected to occur during the first several months. Figure 3 below shows the approximate timeline of essential program functions. It is anticipated that the first enhanced cleanup will occur in January 2025, followed by 10 additional sites in February/March and up to 20 more throughout April-June. Staff is scheduled to update the Transportation and Environment Committee in June 2025. Subsequent pilot years are expected to see the number of locations touched increase closer to the maximum 50 locations.

| FY 2024-2025 | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Ma | Apr | Ma | Jun |
|--------------------------|-----|-----|-----|-----|-----|-----|-----|-----|----|-----|----|-----|
| Recruitment/Hiring | █ | █ | █ | █ | █ | █ | | | | | | |
| SJ311 Update/Maintenance | | | | █ | █ | █ | █ | █ | █ | █ | █ | █ |
| Field Survey/Count | | █ | █ | | | █ | █ | | | | | |
| Analysis/Prioritization | | | | █ | █ | | | █ | █ | | | |
| Engagement | | | | | | | █ | █ | █ | █ | █ | █ |
| First Enhanced Sweep | | | | | | | █ | | | | | |
| +10 Enhanced Sweeps | | | | | | | | █ | █ | | | |
| +20 Enhanced Sweeps | | | | | | | | | | █ | █ | █ |
| Status Report Out (T&E) | | | | | | | | | | | | █ |

Figure 3 – FY 2024-2025 Program Timeline

Estimated Costs and Staffing

The Citywide Regulation of Oversized Vehicles Pilot Program will be funded primarily by the Oversized Vehicle Regulation Reserve within the General Fund, with minimal support from the General Purpose Parking Fund and Construction Excise Tax Fund to support key information technology position needs.

The additional staffing identified below is necessary for the support, development, and successful implementation of the new program. The proposed staffing model includes management, administrative, field outreach, and enforcement personnel. Along with establishing and overseeing the new program, a planned reorganization of the Parking Compliance Unit will allow the management team to consolidate and oversee all tow support services, including those related to the newly launched San José 311 Vehicle Concerns reporting portal for abandoned vehicles, and extended parking stay enforcement, as well as special event and pavement tow support. Over the past several years, many of these programs have significantly expanded their

reach and frontline capacity without the addition of management or supervisory personnel. In addition to rightsizing the oversight of these programs, the reorganization will further enhance tow enforcement coordination across Parking Compliance Unit services and with other City Departments and enhance customer service. Finally, implementing a dedicated management team for this workgroup will also help facilitate future program scalability.

Transportation Department

- 1.0 Parking Manager I (effective 10/1/2024)
- 1.0 Parking & Ground Transportation Administrator (effective 1/1/2025)
- 1.0 Senior Parking & Traffic Control Officer (effective 10/1/2025)
- 2.0 Parking & Traffic Control Officer (effective 1/1/2025)
- 1.0 Senior Applications Analyst: (50% General Fund, 25% Construction Excise Tax Fund, and 25% General Purpose Parking Fund, effective 7/1/2024)

Parks, Recreation and Neighborhood Services Department

- 1.0 Community Activity Specialist: (PRNS, effective 10/1/2024)

Non-personal/equipment costs include vehicle purchase and rental (\$400,000); outreach materials and translation and signage (\$42,000); miscellaneous equipment and materials (\$37,000). Cost within the City-Wide Expenses category include resources to pilot oversized vehicle removal methods, including towing, vehicle disposal and buyback (\$100,000 in the first year, \$200,000 ongoing), Police Department enforcement (\$75,000), and Beautify San José trash and biohazard clean-up (\$56,000).

Figure 4 below provides a high-level summary of costs by fund and expenditure category. A more detailed breakout is provided in Attachment A.

Figure 4 –Fiscal Year 2024-2025 and Ongoing Costs by Fund and Appropriation

| Fund | 2024-2025 Cost | Ongoing Cost |
|--|-----------------------|---------------------|
| General Fund – DOT Personal Services | 698,239 | 1,069,250 |
| General Fund – DOT Non-Personal/Equipment | 479,439 | 183,985 |
| General Fund – PRNS Personal Services | 91,322 | 121,765 |
| General Fund – City-Wide Expenses | 231,000 | 425,000 |
| <i>Total General Fund</i> | <i>1,500,000</i> | <i>1,800,000</i> |
| General Purpose Parking Fund – Personal Services ¹ | 61,255 | 64,011 |
| Construction Excise Tax Fund – Transportation System Technology ² | 61,255 | 64,011 |
| GRAND TOTAL | 1,622,510 | 1,928,022 |

¹ This action will be offset by a decrease to the General Purpose Parking Fund’s Ending Fund Balance.

² This action will be absorbed by the existing Construction Excise Tax Fund appropriation.

CONCLUSION

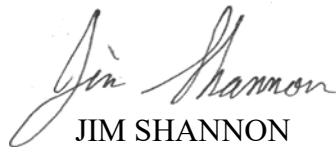
The effective regulation of oversized vehicles, overnight parking, school setbacks, and vehicle-related blight continue to challenge communities. While a much larger investment of staffing and resources would be required to fully address the span of issues the City Council and community have voiced, the proposed pilot programs begin to address San José’s array of priorities and challenges at the intersections of homelessness and equity with vehicle-related concerns.

The Administration believes that a data-driven and proactive approach provides the most efficient response to the gap between needed and available resources, while ensuring that services are provided equitably, fairly, and effectively. A proactive approach in which work input and output can be managed effectively by staff also provides a strong and scalable foundation for a need that will continue to grow.

COORDINATION

This memorandum was coordinated with the City Attorney’s Office, Housing Department, Police Department, and PRNS.

/s/
JOHN RISTOW
Director, Transportation


JIM SHANNON
Budget Director

For questions, please contact Heather Hoshii, Deputy Director, at heather.hoshii@sanjoseca.gov.

Attachment A
Oversized Vehicle Regulation Pilot Program Budget

Oversized Vehicle Reuglation Pilot Program Budget

| | | 2024-2025 | 2024-2025 | Ongoing | Ongoing |
|--|-------------|------------------|------------------|------------------|------------------|
| | FTE | All Funds | General Fund | All Funds | General Fund |
| Transportation Department - Personal Services | | | | | |
| Senior Applications Analyst (SAA) | 1.00 | 245,022 | 122,510 | 256,044 | 128,022 |
| Parking Manager I | 1.00 | 152,035 | 152,035 | 202,713 | 202,713 |
| Parking & Ground Transportation Administrator (PGTA) | 1.00 | 89,310 | 89,310 | 178,620 | 178,620 |
| Senior Parking & Traffic Control Officer | 1.00 | 103,309 | 103,309 | 137,745 | 137,745 |
| Parking & Traffic Control Officer (PTCO) | 2.00 | 113,575 | 113,575 | 227,150 | 227,150 |
| Overtime - Street Sweeping Services/Maintenance Worker Vehicle Clean-Up/Heavy Equipment | | | | | |
| Oversized Vehicle Clean-Up & Removal/Alternate Work Program (Temporary Tow-Away Zone Posting) | | 117,500 | 117,500 | 195,000 | 195,000 |
| Personal Services Subtotal | 6.00 | 820,751 | 698,239 | 1,197,272 | 1,069,250 |
| Transportation Department - Non-Personal/Equipment | | | | | |
| Tow Away Permits | | 1,250 | 1,250 | 2,500 | 2,500 |
| Temporary Tow Away Zone Signs | | 1,075 | 1,075 | 2,150 | 2,150 |
| Permanent Restriction Signage (up to 10 Locations) | | 15,000 | 15,000 | 0 | 0 |
| Outreach (Printing/Translation Services) | | 25,000 | 25,000 | 0 | 0 |
| New Vehicles (4) Parking Compliance Unit Field Staff; Electric Vehicle Chargers and Electrical System Infrastructure; Vehicular Equipment including: Light bars, Signage, Mobile Data Terminals, License Plate Recognition equipment, etc. | | 340,000 | 340,000 | 15,000 | 15,000 |
| Vehicle Rentals | | 60,000 | 60,000 | 0 | 0 |
| Miscellaneous Additional Materials and Equipment | | 37,114 | 37,114 | 164,335 | 164,335 |
| Non-Personal/Equipment Subtotal | | 479,439 | 479,439 | 183,985 | 183,985 |
| PRNS Department - Personal Services | | | | | |
| Community Activity Specialist (PRNS) | 1.00 | 91,322 | 91,322 | 121,765 | 121,765 |
| Personal Services Subtotal | 1.00 | 91,322 | 91,322 | 121,765 | 121,765 |
| City-Wide Expenses | | | | | |
| Police Department Overtime | | 75,000 | 75,000 | 150,000 | 150,000 |
| PRNS Beautify San José Trash & Biohazard Cleanup | | 56,000 | 56,000 | 75,000 | 75,000 |
| Towing Services, Vehicle Disposal, and Buyback (Junk Vehicle, Lien Sale Purchase and RV Buyback) | | 100,000 | 100,000 | 200,000 | 200,000 |
| City-Wide Subtotal | 0.00 | 231,000 | 231,000 | 425,000 | 425,000 |
| Grand Total | 7.00 | 1,622,512 | 1,500,000 | 1,928,022 | 1,800,000 |