
INTERNAL AFFAIRS COMMITTEE AGENDA

A Committee of the Chico City Council: Councilmembers Huber, Ory, and Chair Brown

Meeting of February 3, 2020 – 4:00 p.m. to 6:00 p.m.

Council Chamber Building, 421 Main Street, Conference Room 1

REGULAR AGENDA

A. CONSIDERATION OF VEHICLE ACCESS DAYS AND PARKING FEES FOR UPPER PARK ROAD AND ESTABLISHING A DEVELOPMENT DIRECTOR POSITION TO MANAGE A BIDWELL PARK FOUNDATION

At its 12/3/19 meeting, the City Council heard the Bidwell Park and Playground Commission's (BPPC) recommendations regarding allowing vehicular access on Upper Park Road (UPR) to Salmon Hole Parking Lot N. The Council also considered introducing a parking fee for UPR. After much discussion, Council moved to approve BPPC recommendation of vehicular access to Salmon Hole, and only allowing full vehicle access two days per week. The determination of full vehicle access days, the parking fee initiative, and considering a Development Director position was referred to the Internal Affairs Committee (IAC). **(Report – Erik Gustafson, Public Works Director – Operations and Maintenance)**

Recommendation: That the IAC consider Council's direction to further discuss full vehicle access two days a week, proposed Upper Park Road parking fees, along with a potential Development Director position through budget process.

The Director of Public Works O&M recommends the full vehicle access days be Tuesdays and Wednesdays, and that the IAC further discuss the following Bidwell Park and Playground Commission recommendations regarding parking fees:

- a. Establishing a \$2 daily vehicle parking fee for Upper Park to be used for park improvements only.
- b. Establishing a \$25 annual parking pass.
- c. Providing free parking to Seniors age 62 or older, the Disabled, Veterans, and to low Income households who meet a certain income threshold.
- d. Providing free parking passes for members of organizations who lease facilities in Upper Bidwell Park.
- e. Offering free parking during large Special Events or days, such as Hooked on Fishing or National Parks Day.

B. CONSIDERATION OF COSTS ASSOCIATED WITH DEVELOPING A RENT REGISTRY AND DISCUSSION OF OTHER TENANT PROTECTIONS

On December 2, 2019, the Internal Affairs Committee discussed tenant protections. Specifically, the committee discussed the creation of a Rent Registry to facilitate the collection of rental rates and eviction notices issued in the City of Chico. The committee requested additional information regarding the costs associated with developing a rent registry for the City of Chico.

The City Council accepted the Internal Affairs recommendation to pass an ordinance to extend AB 1482 just cause evictions to single residential properties, to remove the one-year residency requirement, and to continue discussion for creating the rent registry. The City Council directed three items for additional discussion to Internal Affairs to include 1) the year a property was built; 2) exempting ADUs; and 3) consideration of exempting owner-occupied properties. **(Report Chris Constantin, Assistant City Manager)**

Recommendation: The City Manager recommends committee discussion and possible direction to

staff.

C. BUSINESS FROM THE FLOOR

Members of the public may address the Committee at this time on any matter not already listed on the agenda, with comments being limited to three minutes. The Committee cannot take any action at this meeting on requests made under this section of the agenda.

D. ADJOURNMENT AND NEXT MEETING

The meeting will adjourn no later than 6:00 p.m. The next regular Internal Affairs Committee meeting is scheduled for Monday, March 2, 2020 at 4:00 p.m. in Conference Rm. No. 1.

SPEAKER ANNOUNCEMENT

NOTE: Citizens and other interested parties are encouraged to participate in the public process and will be invited to address the Committee regarding each item on the agenda. In order to maintain an accurate and complete record, the following procedural guidelines have been implemented:

1. Speaker Cards – speakers will be asked to print his/her name on a speaker card to address the Committee and provide card to the Clerk prior to the completion of the Staff Report.
2. The Clerk will call speakers in the order the cards are received.
3. Speakers may address the Committee one time per agenda item.
4. Speakers will have three minutes to address the Committee.

Distribution available in the office of the City Clerk

Posted: 01-29-20 prior to 5:00 p.m. at 421 Main St. Chico, CA 95928 and www.ci.chico.ca.us

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City Clerk's Office, 411 Main St. Chico, CA 95928



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Internal Affairs Agenda Report

Meeting Date: 2/3/20

TO: Internal Affairs Committee

FROM: Erik Gustafson, Public Works Director-O&M, (894-4202)

RE: CONSIDERATION OF VEHICLE ACCESS DAYS AND PARKING FEES FOR UPPER PARK ROAD AND ESTABLISHING A DEVELOPMENT DIRECTOR POSITION TO MANAGE A BIDWELL PARK FOUNDATION

REPORT IN BRIEF:

At its 12/3/19 meeting, the City Council heard the Bidwell Park and Playground Commission's (BPPC) recommendations regarding allowing vehicular access on Upper Park Road (UPR) to Salmon Hole Parking Lot N. The Council also considered introducing a parking fee for UPR at \$2 per day or \$25 for an annual pass. After much discussion, Council moved to approve BPPC recommendation of vehicular access to Salmon Hole, however allowing full vehicle access two days per week. The determination of full vehicle access days, the parking fee initiative, and considering a Development Director position was sent to Internal Affairs Committee (IAC).

Recommendation: That the IAC consider Council's direction to further discuss full vehicle access two days a week, proposed Upper Park Road parking fees, along with a potential Development Director position through budget process.

The Director of Public Works O&M recommends the full vehicle access days be Tuesdays and Wednesdays, and that the IAC further discuss the following Bidwell Park and Playground Commission recommendations regarding parking fees:

- a. Establishing a \$2 daily vehicle parking fee for Upper Park to be used for park improvements only.
- b. Establishing a \$25 annual parking pass.
- c. Providing free parking to Seniors age 62 or older, the Disabled, Veterans, and to low Income households who meet a certain income threshold.
- d. Providing free parking passes for members of organizations who lease facilities in Upper Bidwell Park.
- e. Offering free parking during large Special Events or days, such as Hooked on Fishing or National Parks Day.

FISCAL IMPACT:

If approved, close to \$800,000 is anticipated to be generated from the parking fee each year. The parking fee is an impact fee so the revenue generated will be deposited into the Park Fund 002 and used to maintain the UPR, parking facilities, way finding signage and kiosks, and to maintain and enhance other Upper Park amenities as appropriate. The estimated costs to install the two parking kiosks and related software is \$24,000. Staff proposes to use the existing Park Facility Improvement Capital Project #50403 for these costs.

BACKGROUND:

Upper Park Road Repair:

In 2012, the approximate 4.4-mile unpaved section of UPR between the Diversion Dam gate and the end of the road received considerable erosion damage from storms and has been closed to private vehicle use since then. In 2017, the City retained Pacific Watershed Associates (PWA) to prepare an assessment of the UPR conditions and to develop an action plan to make repairs and to control or prevent erosion and sediment from entering Big Chico Creek. In its report, PWA identified and prioritized 43 erosion sites within this section of UPR that needed either road drainage repairs and/or sediment control treatments, such as modifying stream crossings and culverts.

Over a series of meetings, the BPPC discussed options to repair UPR. It was clear from the PWA report that repairs and the redesign of some areas of the road are necessary to reduce erosion/sediment and to allow emergency vehicle access, regardless of the policy decision to allow private vehicles.

Through those multiple discussions at the Commission and Committee level, Staff ultimately recommended a phased approach to repairing and improving the entire unimproved road. This would allow several years to allocate funding through the budget process and allow time to seek grant funding for repairs, identify additional revenue sources for repairs and on-going maintenance.

However, on 5/16/19, Staff was notified by the State Water Regional Control Board (SWRCB) that the City was awarded a grant to repair the entire UPR. This was an exciting notification as the road will now be redesigned in several sections and reconstructed at once to properly address storm water runoff. The road will include features that prolong the improvements and minimize storm impacts. Staff is now working with the SWRCB to finalize the grant agreement and are hoping for an early 2020 bid process with a Summer construction schedule.

Private Vehicle Access:

Since 2012, there have also been many discussions between the public and the BPPC regarding whether to permanently close the road past Horseshoe Lake to private vehicles. The Commission and Staff have heard from both sides, those who want to keep it closed to reduce conflicts with the multiple user groups, and those who want easier and equal vehicle access to the more remote sections of Upper Park to better enhance their park experience. There were also discussions on the potential impacts of reopening the road on both Ranger and Park maintenance staff, due to possible increased trash, litter, and vandalism.

At its 12/3/19 meeting, City Council had a robust discussion regarding access for the entire section of UPR. The BPPC had recommended restricting vehicular access to Salmon Hole Parking Lot N. City Council moved to keep the entire road section closed to vehicles on Sundays and Mondays, allow full access to the end of the road on two days per week, then limit access to Salmon Hole the remaining days of the week.

Parking Fee:

At its 12/3/20 meeting, City Council heard recommendations from the BPPC regarding a potential vehicle parking fee for Upper Bidwell Park. These funds would be considered an impact fee and only used for ongoing maintenance and improvements of UPR and other Upper Park infrastructure, such as parking lots. The recommended fee is \$2 per vehicle per day to park in Upper Park, or the opportunity to purchase a \$25 annual pass. The Commission also recommended that parking be free to the leasees and their members (golf course, observatory, etc.), for seniors over age 65, and for the disabled and low-income households. These fees and passes were derived by looking at parking fees at other city and State parks, and from nearly 3,000 convenience surveys obtained in 2018 indicating that responders would be willing to pay a nominal fee to park in Upper Park. City Council moved that Internal Affairs Committee (IAC) should further consider the parking fee item and investigate impacts. The Council also requested the IAC discuss the feasibility of requesting a Development Director position to establish and manage a Bidwell Park Foundation.

DISCUSSION:

Vehicle travel has dramatically increased in the last decade on UPR and a consistent revenue stream is needed to offset maintenance costs. Parking revenue would be used to increase parking facilities, which would improve parking and hopefully enhance the park user experience. In 2017, staff deployed traffic counting measures and confirmed there were over 450,000 vehicle trips on UPR in one year. Staff suspects that number has increased the last two years especially post Camp Fire.

The recommended parking fee is \$2 per vehicle per day to park in Upper Park, or the opportunity to purchase a \$25 annual pass. The fee can be considered an impact fee to offset operation and maintenance demands from users of the road and parking facilities. As proposed, revenue would be deposited into the Park Fund 002 and used to maintain the UPR, parking facilities, signage, kiosks, and to maintain and enhance other Upper Park amenities as appropriate.

The BPPC had multiple discussions regarding the right fee to consider and relied on benchmarking analysis conducted by staff of similar parks and results from a convenience survey staff deployed. The proposed fees are much lower than other parks in California and would result in a consistent revenue stream to maintain the road and potentially hire additional maintenance and ranger staff.

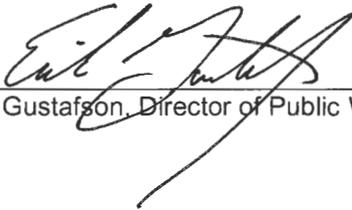
Council also requested the IAC discuss the feasibility of hiring a Development Director position to establish and maintain a Bidwell Park Foundation. If it is a Director position and to be competitive, this position would likely earn upwards of \$100,000 annually and would need to establish a robust Foundation to warrant this added expense. Additional revenue secured by a foundation would be positive, however if used for ongoing maintenance further review is needed from the City Attorney's Office. Fund distribution can add additional layers of administration that would be difficult for the Park Division to absorb at this time. Immediate staffing needs in the Park Division are at the Maintenance Worker and Senior Maintenance Worker level in order to accomplish Departmental goals and objectives.

Currently, Bidwell Park does have an account at North Valley Community Foundation that is available for people to donate monetarily or in services. In 2012 there was an endowment foundation established in Bidwell Parks name also managed by North Valley Community Foundation. Due to lack of donations, the endowment funds were distributed to Friends of Bidwell Park and used for various programs in Bidwell Park.

Establishing a robust foundation and soliciting membership can be a good tool for park funding, although can also be inconsistent and detrimental to sustaining full time staff. Since there is already a Bidwell Park account set up, it may be better to discuss how best we utilize those existing assets and garner additional revenue. This discussion needs to include fund distribution requirements, so staff have a better understanding on legalities.

If approved, Staff is recommending that the effective date of the fee be 7/1/20. This will allow Staff time to work with the leasees to minimize impacts, to purchase and install the kiosks, and to conduct an extensive public outreach campaign.

Prepared By:



Erik Gustafson, Director of Public Works O&M

Approved and Recommended By:



Mark Orme, City Manager

DISTRIBUTION:

City Clerk (3)
BPPC (7)

ATTACHMENTS:

Exhibit A: UPPR Grade Map

EXHIBIT A - UPR DISTANCES AND GRADES

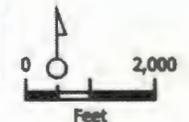
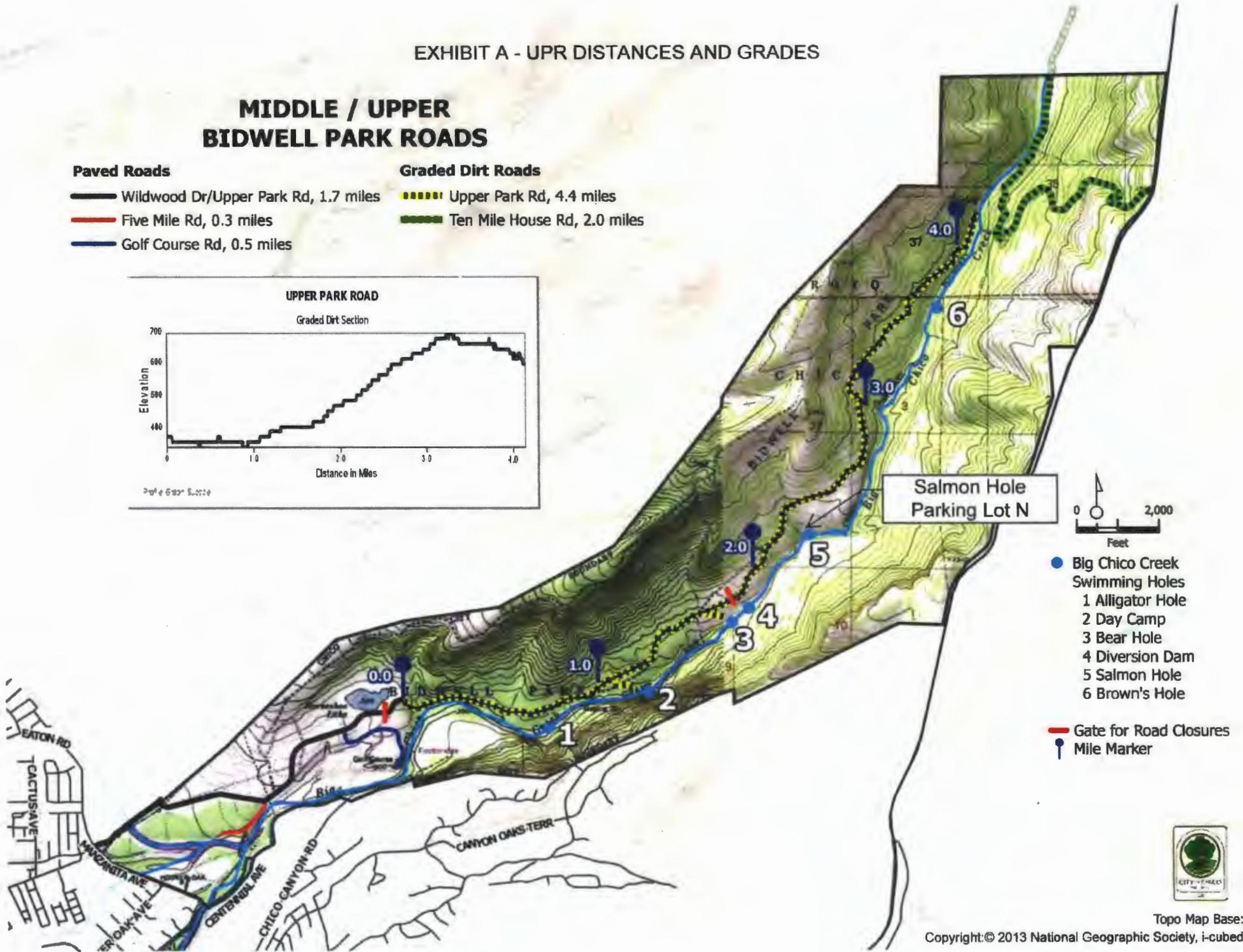
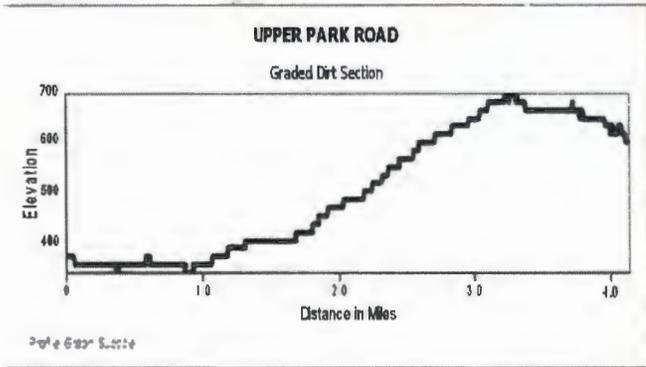
**MIDDLE / UPPER
BIDWELL PARK ROADS**

Paved Roads

-  Wildwood Dr/Upper Park Rd, 1.7 miles
-  Five Mile Rd, 0.3 miles
-  Golf Course Rd, 0.5 miles

Graded Dirt Roads

-  Upper Park Rd, 4.4 miles
-  Ten Mile House Rd, 2.0 miles



-  Big Chico Creek Swimming Holes
 - 1 Alligator Hole
 - 2 Day Camp
 - 3 Bear Hole
 - 4 Diversion Dam
 - 5 Salmon Hole
 - 6 Brown's Hole
-  Gate for Road Closures
-  Mile Marker





Internal Affairs Agenda Report

Meeting Date: 2/3/2020

TO: Internal Affairs Committee

FROM: Mark Orme, City Manager

RE: Tenant Protections - Costs Associated with Developing a Rent Registry and Discussion of Other Tenant Protections

REPORT IN BRIEF:

On December 2, 2019, the Internal Affairs Committee heard a discussion regarding tenant protections. Specifically, the committee discussed the creation of a Rent Registry to facilitate the collection of rental rates and eviction notices issued in the City of Chico. The committee requested additional information regarding the costs associated with developing a rent registry for the City of Chico.

Additionally, the City Council accepted the Internal Affairs recommendation to pass an ordinance to extend AB 1482 just cause evictions to single residential properties, to remove the one-year residency requirement, and to continue discussion for creating the rent registry. The City Council directed three items for additional discussion to Internal Affairs to include 1) the year a property was built; 2) exempting ADUs; and 3) consideration of exempting owner-occupied properties.

Recommendation:

The City Manager recommends direction if additional information or action is necessary.

FISCAL IMPACT:

Variable. There is a wide range in costs associated with the Rent Registry. Implementation of a tenant protection program or to staff appropriate divisions to enforce municipal code changes to protect tenants would require additional staff. The staffing level would be dependent on the type of program selected.

BACKGROUND:

On December 2, 2019, the Internal Affairs Committee heard a discussion regarding tenant protections. Specifically, the committee discussed the creation of a Rent Registry to facilitate the collection of rental rates and eviction notices issued in the City of Chico. The committee requested additional information regarding the costs associated with developing a rent registry for the City of Chico.

Additionally, the City Council accepted the Internal Affairs recommendation to pass an ordinance to extend AB 1482 just cause evictions to single residential properties, to remove the one-year residency requirement, and to continue discussion for creating the rent registry. The City Council directed three items for additional discussion to Internal Affairs to include 1) the year a property was built; 2) exempting ADUs; and 3) consideration of exempting owner-occupied properties.

DISCUSSION:

Rent Registry

Rental registration is a local regulation that requires landlords to register with the city and provide the city with essential information to enforce other tenant protection ordinances. There are several communities that maintain a rental registry for the purpose of rent-control enforcement including, but not limited to San Jose, Berkeley, East Palo Alto, Richmond, Beverly Hills, Los Angeles, Santa Monica, and West Hollywood. Other cities, such as Pittsburg, Santa Cruz, and Fresno, maintain registries for the purposes of rental property inspections.

To support the registries, most of the communities charge rental property owners an annual fee ranging from \$50 to \$250 to support the registry and the staffing necessary to maintain and respond to information entered into the registry. In some cases, communities, such as San Jose, treat a rental structure as one that requires a specific business license in order to identify the total population of rental housing.

City Utilizing a Form Based Registry System

Some of the cities, such as Richmond, which is close to the population of Chico, maintain a registry but in a PDF fillable form version. This results in the City receiving electronic or paper forms that they must process, digitize and then evaluate. As a result of this version and the other tenant protection requirements instituted, Richmond maintains an entire division at a cost of \$2.4 million to administer their entire tenant protection program.

City Evaluating Third-Party Registry Development System

Last year, San Francisco undertook an evaluation in starting and maintaining a rental registry. The estimated cost for starting the registry was estimated at \$300,000 with an ongoing staffing and maintenance cost between \$1.7 million and \$3.6 million per year depending on the extent of the program. This process is ongoing and may be more elaborate than desired by the City Council.

City Utilizing Inhouse Support to Develop Registry System

San Jose maintains an online rent registry portal that contains the same information desired by the Internal Affairs Committee – including updating rental rates for units, submitting notices of termination/eviction, and providing a plethora of information about the rent control program. A unique aspect involves the City using inhouse support to develop the registry as well as utilizing existing software already owned by San Jose. While the City of Chico may not have all the staff and software necessary, it appears that San Jose may be a closer fit for the information desired.

San Jose developed the registry using Salesforce, their customer relationship system, and integrated the system with other City databases in planning, code enforcement and public works. In January 2017, the City of San Jose dedicated one Information Technology person for about 18 months to develop the system. The City found a number of data reliability issues which require 1.5 full-time equivalent staffers to maintain, update and correct the information within the system. A total of 6-10 staff persons were involved in its development, and the City maintains three staff for just the system and 19 staff for the tenant protection program. An estimated cost of just the registry comes close to the about \$400-500,000, with about \$300,000 a year in maintaining the system.

City Could Consider Limited Registry System as a Reactive Data System

Currently, the City of Chico utilizes the Citizen Service software to issue business and bicycle licenses. An account is restricted to the use of the business or bike owner and offers the opportunity to enter all the relevant information required by the City's Administrative Services Department to issue a license. The data resides in a database accessible by City staff and remains available for City purposes.

The Citizen Serve software may allow the City to create a unidirectional database of rent rates and eviction notices that would allow a property owner to enter key rental unit information that would be available for City use. The software may also allow the City to report which units have provided data and to allow City staff to respond to claims of excessive rent increases or unjust eviction. According to Administrative Services staff, the cost of such a system may be approximately \$25,000.

City of Chico Developing a Registry System

A Rent Registry system, its form and function is strongly correlated to the policy goals of the City. Thus, the development and implementation cost would vary drastically based on how the city utilizes the registry to support its goals. For example, if the City intended to document information in the rental market for use when complaints are received, the registry would be an online form-based portal which is intended to just collect information for staff. The cost of this would be less than a database system that is intended to provide bidirectional data access and staff to clean and correct information in the system. One would place the majority of the operational work on the software system, while the other would increase staff cost to address data reliability issues.

Thus, the Internal Affairs Committee may consider these areas to guide the type of system necessary to support the committee's policy goals:

- **Reactive vs Proactive:** Does the City desire a reactive, complaint driven program or an active enforcement program related to tenant protection requirements;
 - Currently, City Code Enforcement operates in a reactive, complaint driven manner, while the City's Fire inspection program is proactive on multifamily housing units.
- **Data-Focused vs Staff-Focused:** Does the City want to rely upon a data-based control to enforce tenant protection requirements or a staff-based control;
 - The City is moving to more modern software systems, but currently, most City programs are staff-focused which results in increased cost for those programs. This includes Code Enforcement, Fire inspections, permit processing, etc.
- **Program Structure:** How does the City want the program structured and funded – a collateral responsibility for Code Enforcement or a new program? Is this a general fund investment in additional Code Enforcement staff or is the City looking to recreate a regulatory structure including licensing, fees, and other requirements?

Other Tenant Protections

On January 7, 2020, the City Council referred to the Internal Affairs Committee, a discussion of three tenant protection areas to include

- Age of Property subject to Tenant Protections;
- Considering whether Accessory Dwelling Units are included in Tenant Protection requirements; and
- Consideration for whether owner-occupied properties are included in Tenant Protection requirements.

CONCLUSION:

City Staff present the above information to allow the Internal Affairs Committee to discuss and determine a recommendation to the full City Council. Upon City Council direction, staff recommend the City Attorney draft the appropriate Municipal Code update to implement this program including any business license and administrative components.

Prepared by:



Chris Constantin,
Assistant City Manager

Recommended and Approved by:



Mark Orme,
City Manager

ATTACHMENTS:

None.