

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
September 9, 2004
9:30 a.m.

To: Members, Board of Supervisors

From: Countywide Services Agency

Subject: Report Back On Update Of Juror Parking Issues Including Available Parking For Jurors Versus Demand For Parking, And Elimination Of Jury Per Diem For Government Employees

Contact: Bruce Bradley, Senior Administrative Analyst; 874-5894

BACKGROUND:

During Fiscal Year 2004-05 Final Budget Hearings on September 1, 2004 your Board requested the Countywide Services Agency (CSA) to report back with an update on jury parking issues, including available parking for jurors versus demand for parking, and elimination of jury duty per diem fees for government employees. This report is in response to said request. Further, an update is being provided addressing previously expressed concerns regarding possible non-juror use of the Saint Joseph's Parking Lot and a brief comment is made regarding provision of juror parking spaces under Senate Bill (SB) 1732 (The Trial Court Facilities Act of 2002).

Last summer, due to the county's extremely poor fiscal situation, your Board approved the County Executive's recommendation to end, effective July 1, 2003, discretionary General Fund payment for overflow juror parking. The attached report dated June 19, 2003 explained in detail the overflow parking situation at that time and identified estimated savings to the General Fund of approximately \$120,000 for Fiscal Year 2003-04.

DISCUSSION:

Update: Available Parking For Jurors Versus Demand

The juror parking situation has remained fairly static over the last 14 months.

The Saint Joseph's Parking lot has 346 available parking spaces. Based on a sampling of recent statistics kept by parking staff, the Saint Joseph's Parking lot is averaging about 62 overflows per day.

Report Back On Update Of Juror Parking Issues Including Available Parking For Jurors Versus Demand For Parking, And Elimination Of Jury Per Diem For Government Employees
Page 2

The 62 overflows per day occur approximately 200 days per year (365 days per year less all 52 Saturdays, 52 Sundays, 52 Fridays and 9 Holidays not falling on Fridays). Note that overflows do not occur on Fridays since that is the one day of the week generally allocated by the Court to non-trial issues.

The 62 overflows per day times 200 days yields 12,400 overflows per year.

The county's two-story parking lot currently charges jurors \$10.00 per day and the Platinum parking lot (near the Southern Pacific rail yard) currently charges jurors \$6.00 per day. When the County was reimbursing both lots for overflow jurors, about 75.0 percent of the business went to the county lot (closer to the Courthouse and the first parking level is covered) with the Platinum lot picking up the remaining 25.0 percent.

Based on the above, if the County were still subsidizing overflows, the annual subsidy would total approximately \$111,600, as follows:

- County Lot: 12,400 overflows multiplied by 75.0 percent multiplied by \$10.00 equal \$93,000.
- Platinum Lot: 12,400 overflows multiplied by 25.0 percent multiplied by \$6.00 equal \$18,600.

It should be noted that the overflow and cost estimate figures cited above assume that the controls that were in place by General Services Parking staff prior to elimination of the subsidy by the County would be fully in place. The controls included signage indicating that jurors would not be reimbursed until the Saint Joseph's parking lot was full, a sign indicating that the Saint Joseph's parking lot was not yet full (which would be turned off once the free lot was full) and the checking of jurors parking stubs at checkout time to make sure they had not entered the county lot prior to the time the Saint Joseph's parking lot was full on that particular day. If they had entered early they had to pay the county parking attendant for that day's parking.

Subsequent to July 1, 2003 neither parking lot has been required to provide juror overflow numbers to the County in order to receive county reimbursement. Therefore, neither lot currently tracks what percentage of overflow juror business they have. Common sense would indicate that since the Platinum lot is \$4.00 cheaper per day, their share has risen from 25.0 percent...but to what level is unknown.

The Saint Joseph's Parking Lot rarely fills up before 8:00 a.m. The "62 overflow per day" that arrive after the free lot is full have various options. They may take Regional Transit (RT) at county expense. They may bike or walk or be dropped off/picked up for free, or they may pay \$6.00 per day at Platinum or \$10.00 per day at the county's two-story lot.

According to the Jury Commissioner, **ALL** jurors pay for parking in the City County of San Francisco. Apparently most other counties in the State provide subsidized parking but this has not been researched by county staff for several years.

Update: Elimination Of Jury Duty Per Diem Fees For Government Employees

Until August 16, 2004, all jurors in California were paid the amount mandated by the State which is currently \$15.00 per day and 34 cents per mile, one way for the second day of service and every day thereafter (no pay for the first day of service). Note that this is NOT a county expense.

Effective August 16, 2004, per SB 1102, government employees in California are no longer eligible for the \$15.00 per day. The rationale for the change in law was that since government employees are reimbursed by their employer while on jury duty there was no need for the per diem (the juror had to return the per diem to their government employer anyway).

Also, the checks issued by the Court combine the per diem with the mileage reimbursement. The control and accounting procedures involved in making sure the governmental juror kept only the mileage portion were cumbersome and costly. The loss of the per diem by government entities is expected to be largely if not entirely offset by savings in control and accounting expenditures.

Update: Concerns Regarding Possible Abuse At The Jury Parking Lot

At the June 16, 2003 budget hearing there was discussion regarding the possible use of the Saint Joseph's Parking Lot by non-jurors (which would increase the number of overflow juror parkers). In the (attached) June 19, 2003 report back, the CSA Administrator stated that, "We will work with the Court and General Services to ensure that any such abuse is either minimized or, hopefully, eliminated."

The Sacramento County Parking Enterprise, when fully staffed, is able to station a parking lot attendant in the Saint Joseph's Parking Lot each morning to direct traffic. This attendant is assisted by work project personnel who are assigned to the Sacramento County's Parking Enterprise that day. They will direct jurors to available parking spaces in the Saint Joseph's Parking Lot and when the lot is full, direct jurors to alternative parking lots. This is accomplished by handing the jurors a slip of paper with directions from the Saint Joseph's Parking Lot to the Platinum parking lot or the county's public lot. (The per day parking charges of \$6.00 and \$10.00 respectively are printed on the direction sheet.)

The assigned parking lot attendant directs traffic from Monday through Thursday, from 7:30 am until 9:00 am. At 9:30 a.m. the attendant patrols the lot and issues citations for

those parkers who do not display a valid juror parking permit. A second patrol may be done between 2:30 pm and 3:00 pm, again depending on staffing. On an average day, approximately 8 citations are written, but 5 are usually dismissed. These dismissals are jurors who have neglected to display the proper parking permit. The remaining 3 (illegal parkers) will be forwarded to Sacramento City Hall for processing. Each of these valid illegal parking citations provides \$32.00 to the county's General Fund. This totals approximately \$20,000 per year which is reflected in the Non-Department Revenues Budget Unit 5700000.

On Fridays, when there are not many jurors who are called to jury duty, a patrol is done at 9:00 am. Each day an attendant will also spend an hour or so picking up trash and emptying garbage pails. When needed, the attendant will run the sweeper through the lot to vacuum up loose debris. (This is usually done on a Friday morning when the lot is mostly unoccupied).

The attendants spend between four and five hours per day (Monday through Thursday) in the Saint Joseph's Parking Lot; and on Fridays between one and two hours.

CONCLUSION:

Comment: Juror Parking Spaces Under SB 1732:

Based on SB 1732 (The Trial Court Facilities Act of 2002) Sacramento County will be negotiating with the State of California, Administrative Office of the Courts (AOC) regarding several aspects of Court facility ownership. As the negotiations are facility related, the Department of General Services is taking a lead role for the County.

One element of the negotiations will be the ongoing provision of parking spaces for jurors. Negotiations have not yet commenced and the exact number of parking spaces to be provided to jurors has not yet been finalized.

Your Board will be kept well informed as negotiations move forward.

Respectfully submitted,

APPROVED:

PENELOPE CLARKE, Administrator
Countywide Services Agency

TERRY SCHUTTEN
County Executive

Attachment

cc: Honorable Michael G. Virga, Presiding Judge; Trish Meraz, Jury Commissioner;
John Newton, Director of General Services