Florida Gulf Coast University Board of Trustees
January 15, 2008

SUBJECT: Regulation: Parking Decal and Permit Fees (2008-2009)

PROPOSED BOARD ACTION

Approve amendments to permanent FGCU Regulation FGCU-PR8.004, Decal and Permit Fees and authorize the University to promulgate the aforementioned regulation under the Florida Board of Governors Regulation Development Procedure for State University Boards of Trustees.

BACKGROUND INFORMATION

The FGCU Parking Committee met and recommended an increase in the parking fees on an annual basis to fund additional parking. The proposed amendment for the 2008-2009 fiscal year to FGCU-PR8.004, Decal and Permit Fees, implement an increase in the fee for regular faculty/staff from $100.00 to $107.00 and for reserved faculty/staff from $450.00 to $482.00.

Supporting Documentation Included: Permanent Regulation Notice and Text for FGCU-PR8.004, Decal and Permit Fees.

Prepared by: General Counsel Vee Leonard

Legal Review by: N/A

Submitted by: Vice President for Administrative Services and Finance Joe Shepard
NOTICE OF NEW REGULATION

December 5, 2008

REGULATION TITLE:
Decal and Permit Fees

REGULATION NO.:
FGCU-PR8.004

SUMMARY:
This regulation is being proposed to regulate decal and permit fees for the 2008-2009 fiscal year.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

AUTHORITY:

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, Director, Campus Police and Safety

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph D. Shepard, Vice President, Administrative Services & Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Jennifer Baker, Administrative Legal Assistant, jforbes@fgcu.edu; (239) 590-1101 (Phone), (239) 590-7470 (Facsimile); 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE WEDNESDAY, DECEMBER 19, 2007, BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

FGCU-PR6C10-8.004. Decal and Permit Fees.

(1) Effective July 1, 2008, the annual registration fee for decals and permits is provided below:

(a) Three or More Wheels Hanging Permit:

- General Lot Parking (students) No Additional Charge
- Student Housing Residents Parking No Additional Charge
- Senior Citizens Parking No Charge
- Dual Enrollees Parking No Charge
- General Lot Parking (non-students) $107.00
- Faculty/Staff Lot Parking $107.00
- Faculty/Staff Reserved Space Parking $482.00

(b) Two Wheels Affixed Decal:

- General Lot Parking (students) No Additional Charge
- General Lot Parking (non-students) $25.00

(c) The special event permit fee is provided below:

- General Lot Parking:
  - Ten or More Days in Advance of Event $1.00 per day per vehicle
  - Nine or Less Days in Advance of Event $2.00 per day per vehicle

(2) Term Registration. Effective July 1, 2008, with the exception of faculty/staff reserved parking, permits can be purchased on a per term basis for a fee of $43.00 per term.

(3) Transferability. Decals are non-transferable. Permits are transferable to any other four-wheeled vehicle that is registered in accordance with this regulation and is owned, leased or operated by the applicant.

(4) Sales Tax. All decal and permit registration fees include the required State of Florida sales tax.

(5) Proration of Purchase Price. The purchase price of an annual or term permit or decal will not be prorated. A faculty/staff reserved space permit purchased after January 1, for the duration of the academic year, shall be $275.00.

(6) Retired Faculty/Staff. Persons with Florida Gulf Coast University retired status who are no longer receiving any form of financial compensation for active employment are
eligible to register and obtain the same parking privileges as if still employed by the University, except that retired employees are not eligible to purchase reserved spaces.

(7) Adjunct Faculty. Persons employed by Florida Gulf Coast University as adjunct faculty are eligible to obtain a faculty/staff term parking permit for the applicable term at no charge. For purposes of this provision, adjunct faculty are defined as instructors hired on a per semester basis whose responsibilities are limited to those duties related to classroom instruction and student assessment. Such persons are appointed on a temporary basis for one academic term at a time and possess no continuing contractual or other employment relationship with the University.

(8) Senior Citizens. Persons sixty (60) years of age or older who are residents of the State of Florida and who attend classes for credit as provided by Section 1009.26(4), Florida Statutes, are eligible to obtain a general lot (student) permit at no charge.

(9) Dual Enrollees. Students enrolled in a dual enrollment or early admission program as provided by Section 1009.25(2)(a), Florida Statutes, are eligible to obtain a general lot (student) permit at no charge.

(10) Waiver of Special Event Permit Fees. The special event permit fees in (1)(c) above shall be waived for University events when a written request is submitted to the Department and the Director or designee determines that granting a waiver is in the best interests of the University.

(11) Special Event Parking Attendant Services. When the Director or designee determines that a special event requires the services of a parking attendant, an additional charge of $15.00 per hour will be incurred.

Action by Florida Gulf Coast University Board of Trustees:
Approved, January 15, 2008, April 17, 2007
Specific Authority:
BOG Resolution dated January 7, 2003
Law Implemented:
1006.66, 1009.24(12)(p), 1009.25(2)(a), 1009.26(4) FS.
History of Rule:
New 7-10-97, Amended 10-4-00, 9-4-02, 7-2-03, 1-8-04
History of Regulation:
New 4-18-06, Amended 4-17-07, 1-15-08
Effective Date of Regulation:
January 15, 2008, April 17, 2007
To: Florida Gulf Coast University Board of Trustees

From: Vee Leonard, General Counsel

Date: December 18, 2007

Re: Written comments related to proposed Permit and Decal Regulation

As part of the Regulation Development Procedure established by the Florida Board of Governors, the General Counsel's Office posted and noticed the proposed Permit and Decal Regulation. The Notice of the regulation advised the University community that anyone desiring to do so could submit comments regarding the proposed regulation to the General Counsel's Office. The comments received in response to the notice have been submitted to this Board for its response. In accordance with the Regulation Development Procedure, the Board may respond in the following manner. You may:

- Solicit additional written comments;
- Schedule a public hearing;
- Withdraw the proposed regulation;
- Modify the proposed regulation;
- Repeal, in whole or in part, after notice, the proposed regulation; or
- Proceed with adopting the proposed regulation.
2. **Substantially Affected Person.** A substantially affected person shall be any natural person with an interest within the zone of interest protected or regulated who suffers a real and sufficiently immediate injury in fact as a result of the application of a regulation. A substantially affected person shall also mean any association with a majority of natural persons as members satisfying the first sentence of the subsection, as long as the subject matter of the regulation is within the association's general scope of interest and activity and the relief requested is of the type appropriate for a trade association to receive on behalf of its members.

3. **Universities and University Board of Trustees.** Universities and university board of trustees include the boards of trustees of each state university and New College.

C. **Regulation Development Procedures for University Board of Trustees**

1. **Notice**

   Prior to the adoption, amendment or repeal of any regulation, except an emergency regulation, the university boards of trustees shall give notice of its intended action. This notice shall be given at least 30 days prior to any proposed board of trustees’ adoption or repeal of the regulation. Notice of a proposed regulation, amendment or repeal shall include publication on a clearly marked area on the university’s internet website of the following:
   
   - Summary of the proposed regulation, regulation amendment or regulation repeal;
   - The full text of the proposed regulation, regulation amendment or regulation repeal or instructions on where to view it;
   - Reference to the authority for the regulation;
   - The university official initiating the regulation, amendment or repeal;
   - The procedure for commenting on the proposed regulation, amendment or repeal with the name, electronic address, facsimile number, telephone number and street address of the regulation contact person where comments can be sent.

2. **Comments**

   a. Any person may submit written comments concerning a proposed regulation, amendment, or repeal to the contact person identified in the notice within 14 days after the date of notice on the internet website.

   b. In response, a university board of trustees may solicit additional written comments, schedule a public hearing, withdraw or modify the regulation, amendment, or repeal in whole or in part after notice, or proceed with adopting the regulation.
Jennifer -- Please forward this. Thank you.

To: President Bradshaw, Board of Trustee members, Dr. Sheppard, Chief Moore

I am well aware of the budget constraints that FGCU is facing. Employees across the campus are working harder and doing more with fewer resources. The State has provided all employees with the $1000 dollar (1%) "bonus" that is actually far less after taxes and certainly not nearly equal to the increases in the cost of living in FL. We grumble about these financial issues, but remain committed to doing our best for the students and the institution.

Now, the administration appears poised to insult the institution's employees by increasing the cost of parking permits by 7%. This is an insult to all who work so diligently for FGCU. I strongly encourage each of you to consider the financial impact and the demoralizing effect this increase will have on employees. Vote no on this proposal and show support for employees, even in this time of significant budget constraints.

Karen N. Mock, M.S., OT/L
Assistant Professor & Academic
   Coordinator of Fieldwork Education
Dept. of Occupational Therapy
   & Community Health
Florida Gulf Coast University
239-590-7552
kmock@fgcu.edu

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Dear Ms. Baker,

Parking Regulation 8.004 is burdensome, unfair and abusive to everyone and should not be raised. Raising already unreasonable high parking fees is unacceptable when you consider parking fees in a large city such as downtown L.A. cost on average $230.00/year. However, large cities also provide ample transportation options for their citizens to allow them to make the choice not to drive to work/school. Unfortunately; those transportation options are non-existent or unreliable in the Fort Myers/Bonita area. If you don't believe me try taking a bus around here sometime! Faculty, staff and students in the area are left without alternative or reliable modes of transportation, except driving their cars. In essence, forcing all of us to accept the arbitrary and abusive parking fees hikes imposed by this university. Don't you think the cost of living in this area is high enough!? Specially if you consider our salaries are not increasing to keep up with it. I calculated parking fees are more than 10% of my meager pay raise for this year, if you consider 6.5% of the increase already went to pay taxes. I would like the Board of Trustees to re-consider imposing this burdensome parking regulation on all of us. Thank you for your consideration.

Best regards,

Frances Jones

Executive Secretary

Office of Curriculum and Instruction

AB5 Suite 214

239.590.7339

mailto:fjones@fgcu.edu

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From: Campbell, Caroline
To: Baker, Jennifer
Sent: 12/11/2007 3:46PM
Subject: Decal and Permit Fees 2008

Regarding Regulation No.: FGCU-PR8.004 raised parking fees.

To Whom it May Concern,

I currently pay $100 annually for a staff parking space to park near Whitaker Hall. Currently, due to expansion, we have no parking spaces but use grass parking.

There are no parking guarantees. I limit lunch time activity due to an inability to find parking if I move my car. I have damaged my car parking on the grass. I have witnessed other fender benders with the parking situation. I've adjusted to the parking situation without complaint until I read of a proposed parking increase.

Parking rates for unreserved spaces are not pro-rated based on salary. I am USPS staff and don't make a considerable amount of money. It's a challenge to pay the current amount. My 1% salary increase this year would be absorbed by increased parking costs. I can't afford an increase in parking this year without a cost of living adjustment. I hope the regulation is not passed the same fiscal year that our raises were reduced.

Thank you for your consideration in this matter.

Caroline Campbell
ccampbel@fgcu.edu <mailto:ccampbel@fgcu.edu>

Marine & Ecological Sciences
College of Arts & Sciences
590-7197

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12/11/2007

From: Redavid, Lynn
To: Baker, Jennifer
Sent: 12/11/2007 3:04PM
Subject: Regulation # FGCU-PR8.004

Jennifer

I wish to voice my opposition to regulation FGCU-PR8.004 - Decal & Permit Fees increase. In a time of such economic slowdown, and families trying to keep their heads above water financially - with the high price of gas, food and just about everything else - imposing another increase on the permit parking from our employer is just another added stress and financial burden.

Over the past five years parking permits have increased from $75 to $100 and next year proposed to go to $107. The reserved parking decals were added a couple of years ago at $300 per year, and now they are $450 per year with a proposed increase to $482. This is a huge amount of revenue, not including the revenue collected from parking fines.

If more of the FGCU employee population new about this proposed increase, I think more people would oppose it.

I strongly suggest this regulation not be passed.

Thank you,

Lynn

Lynn C. Redavid
Office of the Registrar
Florida Gulf Coast University
10501 FGCU Blvd. South
Fort Myers, FL 33965-6565
Lredavid@fgcu.edu
(239) 590-7896
(239) 590-7983 fax

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Dear Board of Trustee members, Dr. Sheppard, Chief Moore, and Ms. Baker,

As you consider the approval of an increase in parking fees for faculty and staff, though the amount may seem quite small, many of us are facing increased costs in all areas of our lives. Though we did receive a 1% raise, for which I am grateful, I am concerned for those whose salaries are at the lowest levels and are required to pay the same amount.

I would ask the Board to please consider this and not approve the proposed regulation. I would further like to request those in a position to look at alternatives, to consider a sliding scale or a different structure that is more equitable across the variety of faculty and staff positions, such as a percentage of one’s salary or a variable rate structure with differing classes.

Thank you for the opportunity to express my concerns.

Sincerely,

Anne Young

GO EAGLES!!!!!!

Anne Young

Academic Advisor, School of Health & Rehabilitation

Florida Gulf Coast University, College of Health Professions

10501 FGCU Boulevard South, Griffin Hall # 149

Fort Myers, FL 33965-6565

(239) 590-7456 Office

(239) 590-7494 Fax
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From: Heinemann, Dr. Denise  
To: Baker, Jennifer  
Cc: Health Professions Faculty; Shepard, Dr. Joe  
Sent: 12/11/2007 10:33AM  
Subject: Parking Fee Regulation

Dear Jennifer,

As a member of the first Parking Committee, I objected to the fee structure developed at the time because university employees at all levels paid the same fees. I believed then and still do that parking fees should be proportional to an employee's annual salary.

I am grateful that we dropped the parking fee for adjuncts.

Thank you for the opportunity to comment.

Denise

(Member, Inaugural FGCU Parking Committee)

Denise Heinemann, DrPH, RN  
Dean  
College of Health Professions  
239-590-7511

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From: Frederick, Michelle  
To: Baker, Jennifer  
Cc: Prive, Loren; Toth, Jacqueline  
Sent: 12/08/2007 11:18AM  
Subject: Parking Fee Comment

I would like to voice my opinion regarding the proposed increase in parking fees.

Because of my work schedule, I purchase a reserve spot each year. The fee for this reserved spot is currently $450.00, which I feel is too much to begin with for what I get. I park in parking lot 5, which also has visitor spots (2 rows) and also the food service staff parks there also. If I leave for lunch, or appointments off campus, I usually need to drive around until my "reserved parking" space become available to me. Students, faculty, parents, and visitors have parked in my "reserved space". When parking services are phoned, rarely do they respond in a timely fashion. If they do, they ticket the vehicle ($100.00) and I am told that its up to me to find a new place. This become tiring after awhile.

If you feel that you need to charge more (for less than adequate service) then I would like to see a provision put into place that the employee who actually is paying for this so called "reserved space" also be compensated for their inconvenience. I don't think the University should be entitled to $100.00 every time they get around to issuing someone in my space a parking ticket. If I must pay this extra money I would like to see something in return. I believe the University is paid twice (maybe even 3 times the cost for my spot).

Thank you,

Michelle Frederick

Michelle R. Frederick  
Travel Desk Accountant  
Procurement Services  
Phone (239) 590-1211  
Fax (239) 590-1230
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From: Wasson, Lisa  
To: Baker, Jennifer  
Sent: 12/07/2007 2:38PM  
Subject: Notice of New Regulation

Jennifer,

I wanted to take the time to oppose the regulation titled "Decal and Permit Fees", Regulation number FGCU-PR8.004. I find it unfair to propose such a regulation at an increase of 7% when our pay only increased by a mere 1%.

I've talked to many co-workers who feel the same way but not sure if they will express their opposition.

Thank you for your consideration.

Lisa Wasson
Accounting Coordinator
Student Financial Services
Florida Gulf Coast University
(239) 590-1203

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As this new regulation is considered I wanted to submit a few comments for SAC that have been discussed among colleagues that may be useful to the process.

1. Could parking fees be assessed on a pro-rated scale based on employee salary (ie: a percentage of salary) so that the cost of parking is more equitable to all.

2. Maybe its time to create a "reserved parking Lot" vs. individual reserved spaces, so employees who wish to have a reserved space have to share the opportunity, by paying for an access card to the lot, and thereby minimizing the number of "reserved spaces" that we currently see sitting unoccupied( on some days I've counted at least 20 in one lot unoccupied reserved spaces ). Maybe lots could be designated as full time individually reserved spaces (premium price); shared reserved lot- first come/first served (moderate price); open parking lots (lowest price)

3. Better monitoring of current employee parking lots in which students are using (unauthorized) the spaces.see it often in early mornings

4. Parking in the garage is not bad, but I do notice there are no traffic signs (ie: yield, stop, etc) that might reduce some of the risky driving observed in the garage.

Thanks for SAC's effort on this project!

Elaine Hozdik, Director

International Services

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