


CITY OF LOS ANGELES
INTER-DEPARTMENTAL MEMORANDUM

Date: November 22, 2016

To: The Honorable City Council
c/o City Clerk, Room 395, City Hall
Attention: Honorable Mike Bonin, Chair, Transportation Committee

From: Seleta J. Reynolds  General Manager
Department of Transportation

Subject: **COMMUNITY ASSISTANCE PARKING PROGRAM PILOT PROGRAM (COUNCIL FILE 15-1450-S1)**

SUMMARY

At the direction of Transportation Committee, the Los Angeles Department of Transportation (LADOT) developed guidelines to create a Community Assistance Parking Program (CAPP) to assist homeless individuals with open and unpaid parking citations by allowing them to pay their citation in the form of community service. This pilot program will focus solely on homeless individuals with a goal to expand the program to serve the low-income community.

RECOMMENDATION

That the Council, subject to the concurrence by the Mayor:

AUTHORIZE the General Manager of LADOT to establish a CAPP that would permit eligible homeless individuals to perform community service in lieu of payment of a parking penalty, as outlined in the attached guidelines.

BACKGROUND

Since March 2016, LADOT staff has been working with the City Attorney's Office and the Mayor's Office to develop a community service program for homeless individuals with open and unpaid parking citations. This program would allow homeless individuals with open and unpaid parking citation to perform community service in-lieu of paying the outstanding parking fine amounts. On June 22, 2016, LADOT presented to the Transportation Committee a report on a parking citation fine schedule. The report included options to help motorists pay their citations including creating a Homeless Citation Community Service Parking Pilot Program now known as CAPP.

DISCUSSION

Section 40215(7) of the California Vehicle Code (CVC) allows the implementation of a community service program in lieu of payment of a parking penalty if authorized by the governing board (Mayor and City Council) of the issuing agency (LADOT). The proposed CAPP pilot provides a mechanism for homeless individuals, as defined in Title 42 of the Public Health and Welfare Code, who have received a parking citation to perform community or support services in lieu of paying the outstanding parking fine while also assisting them by connecting them with other support services they may need. The structure is designed to allow those who want to account for their parking fines to do so by making a meaningful contribution to their community. The participating agencies will not need to create additional programs to those already offered; rather it is intended that they integrate this program into existing programs. CAPP will build on partnerships already being established by LADOT with the Los Angeles Homeless Service Authority (LAHSA), Los Angeles Police Department, City Attorney's Office, Mayor's Office, social

service agencies, and homeless service providers. It is envisioned that the homeless participant will utilize one of the 32 pre-approved service providers that already partner with LAHSA. However, if an agency is not associated with LAHSA, then an independent review will be conducted to determine if they qualify.

At the June 3, 2016 Homeless Engagement and Response Team (HEART) Colloquium, LADOT received a positive response about the program from all of the service providers who were present. HEART is a program through the Los Angeles City Attorney's Office that provides legal assistance and other resources for homeless individuals. We looked to the HEART program for guidance in developing the CAPP guidelines. The proposed guidelines (see Attachment A) outline the eligibility, process, and terms and conditions associated with the program. Highlights from the guidelines for eligibility include:

- Citations for safety violations and booted or towed vehicles would not be eligible.
- An individual could not have previously paid a citation with a bounced check or have disputed credit charges.
- Once enrolled in CAPP, a ticket cannot be contested.
- A maximum of ten citations and up to a combined value of \$1,500 per year is allowed.
- Participants must complete the community service within 90 days from the start of the contract.

CAPP avoids overly punitive mechanisms such as requiring that an applicant pay money to join the program, or working long, burdensome hours despite an individual's needs. Many homeless are working despite their transitory living situation and can only perform a limited number of hours without jeopardizing their employment. Moreover, we are conscious of the special need homeless individuals such as the elderly, disabled, or mentally ill who cannot perform manual labor or who may have difficulty completing their hours. These factors were all taken into consideration when the scale for the service hours and amount owed was developed.

COORDINATION

LADOT presented the draft guidelines to the Mayor's Office, each council office, and approximately 15 service providers in Los Angeles. Each party supported the program and was amenable to the proposed guidelines. The goal is to have the CAPP pilot established within two weeks of final approval by the Mayor and City Council.

FISCAL IMPACT STATEMENT

As this is a new pilot program, there are no statistics on the number of parking citations that are issued to homeless individuals. However, once this program is in place, LADOT will do both quantitative and qualitative reviews to gather statistics. Staff anticipates that, initially, the volume of CAPP applicants will be high since this program is highly anticipated. As the program becomes more popular the revenue loss to the City could be in the hundreds of thousands of dollars. This is an estimate based on current information from the Office of the City Administrative Officer and the Office of the Chief Legislative Analyst, which shows that in 2016, 3,908 vehicles are used as dwellings. Not all of these vehicles may receive citations, but this number is representative of the homeless population using vehicles. Although the CAPP program does not collect parking fees, the community service that eligible individuals will perform may save the City money and in turn connect homeless persons with resources that will contribute to the City's economy in the long-term.

Guidelines for the City of Los Angeles Department of Transportation Community Assistance Parking Program (CAPP)

A. Description of Program

The Community Assistance Parking Program (CAPP) provides a mechanism for people to “pay” their parking citation fines (including any late payment penalties) issued in the City of Los Angeles through community or support service. The program is available to participants and non-participants in Los Angeles Homeless Service Authority (LAHSA) funded programs.

B. Community Service

This program substitutes community or support service in lieu of payment of an eligible applicant’s parking citation fines and any late payment penalties. The structure is neither coercive nor punitive in nature; rather it is designed to allow those who want to account for their parking fines to do so by making a meaningful contribution to their community through community service or through support service (ex. job training, life skills class, alcohol and drug rehabilitation, etc.).

C. Participating Social Service Agencies

The participant will utilize a list of participating social service agencies (non-profit service providers, faith-based organizations, and public agencies) that already work with LAHSA. However, if an agency is not associated with LAHSA, then an independent review will be conducted by LADOT staff to see if they qualify.

D. Eligibility

Eligibility is determined by the social service agency in accordance with the program guidelines.

E. Application and Completion of Community Service

Step 1 – The applicant is referred to the program by his/her case manager from the agency he/she is receiving services from.

Step 2 – The case manager/program staff assists the applicant in completing the CAPP application and helps the participant in selecting a service provider from one of the participating agencies.

Step 3 – The case manager submits the application to the City (LADOT) designated representative.

Step 4 – The case manager arranges for the completion of community or support service and submits the completion documents to LADOT so that LADOT can remove the fines from the citation record.

FULL CREDIT = Completion of all required community service hours.

PARTIAL OR NO CREDIT = Partial completion or non-completion of the required service hours.

F. Review by LADOT

LADOT will provide timely review of completion documents and communicate its decision on whether or not to clear the citation(s) to the case manager/service provider and enter the information into the client's case notes in the Homeless Management Information System (HMIS). If necessary, LADOT will provide sufficient documentation to the case manager so the participant can clear the citation(s) with the Department of Motor Vehicles (DMV) if there is a DMV registration hold. It is the participant's responsibility to address any other fees in addition to a parking citation.

G. Guideline for Converting Monetary Fines to Community Service

<u>Amount Owed</u>	<u>Required Service Hours</u>
\$25 - \$250	4
\$251 - \$500	8
\$501 - \$750	12
\$751 - \$1,000	16
\$1,001 - \$1,250	20
\$1,251 - \$1,500	24

H. Non-Eligible Citations (Safety Violations)

The following safety violations are not eligible as part of this program:

LAMC	80.53	Standing in parkways prohibited
LAMC	80.56(E)4	No stopping, standing or parking in a red zone and No Stopping Any Time.
LAMC	80.61	No stopping, standing or parking in an alley.
CVC	22500.1	Parking in a fire lane
CVC	22500A	In intersection
CVC	22500B	On crosswalk
CVC	22500C	Safety zone
CVC	22500E	Blocking driveway
CVC	22500F	Parked on a sidewalk
CVC	22500H	Double parking
CVC	22500I	Bus zone (school or public transportation)
CVC	22500L	Blocking sidewalk wheelchair ramp

CVC	22502(A)	Over 18" from right curb/Wrong-way
CVC	22502(B)	Against traffic flow
CVC	22507.8(a)	Parked in a disabled parking space
CVC	22507.8(b)	Blocking access to disabled parking
CVC	22507.8(c)(1)	Disabled parking boundary lines
CVC	22507.8(c)(2)	Disabled parking crosshatch lines
CVC	22514	Within 15 feet of fire hydrant
CVC	22522	Parking within 3' of a disabled access ramp

I. Additional Terms and Conditions

LADOT allows people to perform volunteer community service in lieu of paying parking citations subject to the following requirements:

- Citations are not eligible for enrollment after a vehicle has been booted or towed; have been previously paid with bounced checks, or have had disputed credit charges.
- Once a citation is enrolled in the CAPP, it may not be contested.
- The community service hours (CONTRACT) must be completed and approved by LADOT to receive a DMV abstract for vehicle registration renewal.
- A maximum of two CONTRACTS with a maximum combined total of 10 citations and up to a combined value of \$1,500 of fines/penalties may be enrolled in the program per 12 month rolling period (which begins on the start date of the contract). The first contract must be completed before a second contract can be issued.
- Participants must complete the community service hours within 90 calendar days from the start of the contract. Failure to do so will result in the contract being canceled and reassigned to the collection process. Citations enrolled in a canceled contract are not eligible for enrollment in another contract during the 12-month rolling period.
- If the participant is unable to complete the community service hours within 90 calendar days from the start of the contract, participants may pay the balance owed to the City of Los Angeles by the due date on the contract. The City may authorize one 30-day extension at its discretion. If another extension is requested, this will be determined on a case-by-case basis. If the balance owed is not received by the due date on the contract, the citation(s) will be reassigned to the collection process.

J. Statistical Data and Measuring Effectiveness of the Program

LADOT will maintain detailed and accurate tracking of statistical data, including the number of citations cleared; the number of community service hours performed to clear the citations; and conduct a regular evaluation of the program to determine whether it is having a positive impact on the City's homeless population.