



OFFICE OF THE CITY MANAGER

April 22, 2004

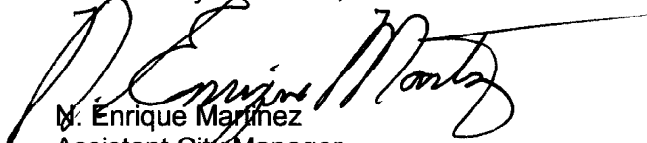
TO: City Council
FROM: Assistant City Manager
SUBJECT: **UPDATE ON NO VEHICLE SOLICITATION ORDINANCE**

On March 24, 2004, staff provided an update to the Economic Development and Technology Committee on the effectiveness of the "No Vehicle Solicitation Ordinance" and recommended that the City Council direct the City Attorney to amend the ordinance to prohibit employment solicitation in commercial parking locations. The Committee requested staff to return with additional information pertaining to the enforcement of the ordinance and on the effective operations of the Job Center. On April 21, 2004, staff returned with the additional information. Following discussion and public input the Committee moved staff recommendation with the following:

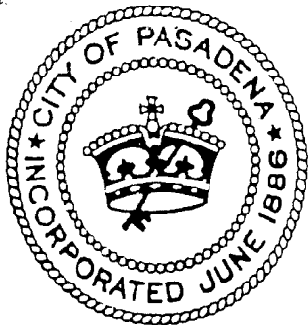
- Ensure that vigorous enforcement efforts are continued
- Research traffic impact of restricting right or left turns off of Fair Oaks Ave. to Villa St. during the hours of 6 am and 11 am.
- Inform contractors of job center services when they obtain their business license or permits
- Research with the city attorney the possibility of including language in city contracts termination of such contracts when municipal laws are violated including the "no vehicle solicitation ordinance"
- Provide more signage on North-South streets off of Villa St.
- Review legal issues regarding solicitation in residential versus commercial areas
- Research the possibility of requiring organizations that distribute disposable paper goods to the public to inscribe their logo on the paper goods to enable enforce of litter laws when materials are discarded in the public right-of-way.

Further, staff was directed to report back to the Committee in three months after revision of the Ordinance by the City Attorney.

Respectfully submitted,


N. Enrique Martinez
Assistant City Manager

04/26/2004
5.A.(2)



Agenda Report

DATE: MARCH 22, 2004

TO: CITY COUNCIL

THROUGH: ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE

FROM: CITY MANAGER

RE: REPORT ON THE NO SOLICITATION ZONE ORDINANCE AND
RECOMMENDATION TO DIRECT THE CITY ATTORNEY TO AMEND
THE ORDINANCE TO PROHIBIT EMPLOYMENT SOLICITATION IN
COMMERCIAL PARKING LOCATIONS

RECOMMENDATION

Direct the City Attorney to prepare an amendment to the No Solicitation Zone Ordinance to prohibit employment solicitation in unauthorized locations within posted commercial parking locations.

BACKGROUND

In efforts to eliminate the unsafe traffic conditions created by drivers who stop in travel lanes or no stopping zones to engage temporary workers standing on sidewalks, curbside or streets, the Pasadena City Council amended Title 10 of the Pasadena Municipal Code (PMC Chapter 10.39) on June 9, 2003. The ordinance prohibits vehicle solicitation within the public right-of-way in posted "No Vehicle Solicitation" Zones. The City Council requested staff to report in six months on the effectiveness of the ordinance.

TEMPORARY WORKERS UTILIZING THE CENTER

Since adoption and police enforcement of the ordinance, the number of registrants and jobs generated at the Pasadena Community Job Center has increased significantly. Within a six-month period between July through December, staff observed that between 2001 and 2002, the number of registrants had increased from 2630 to 4,026 or percent, Jobs created during the period increased from 1,057 to 2,208 or 65 percent. Similarly, between 2002 and 2003, registrants at the center rose to 9,543 or by 137 percent. Jobs increase during the period by 259 percent to 4,593.

4/26/2004

MSB:NB:O Zone Ordinance v4 (03.02.04)

AGENDA ITEM NO. 5.A.2.

EMPLOYERS UTILIZING THE CENTER

Since July 2003, 37 citations were issued for violation of the ordinance during 81 days of police enforcement requiring approximately 150 hours. Two citations were issued on 10 weekend days during the period. During the six-month period, there has been a significant increase in the number of employers utilizing the Center.

A survey conducted in January 2004 by the Center found that homeowners utilized the center more than any type of employer. Of a total of 664 jobs in the survey, homeowners offered 527 or 79 percent, 79 jobs or 12 percent were offered by businesses, 46 or seven percent were offered by non-classified employers, and contractors provided a total of 12 or two percent of the jobs. These results indicate outreach efforts to homeowners, which include flyers and doorknob hangers, are growing increasingly effective. Additional efforts to businesses and contractors should help to increase their utilization of the Center. It should be noted that a significant number of female workers have begun to use the center to seek employment opportunities as well, providing cleaning, babysitting, and cooking services.

WORKERS CONGREGATING IN ADDITIONAL AREAS

While the presence of persons seeking employment in the public right-of-way has decreased in some areas of the zone, the number of persons seeking employment congregating in other areas has increased. For example workers are being solicited for work in the public right-of-way between Maple and Esther Street along Raymond and Summit and on the west side of Raymond Avenue between California Blvd. and Bellevue Drive, where signs are currently not posted. Therefore, staff will post "no solicitation" signs or provide appropriate curb marking to identify no parking zones in these areas, as appropriate.

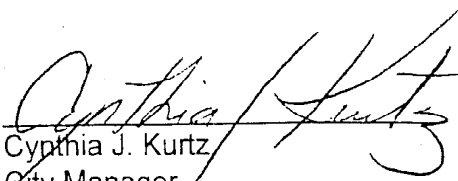
COMMERCIAL PARKING AREAS

The ordinance has had the effect of causing persons seeking employment to congregate in commercial parking areas such as at True Value Hardware and the Mobil gas station, both of which are located adjacent to Maple Street and Fair Oaks Avenue. Patrons complained of being swarmed by persons seeking employment and businesses owners have reported being overwhelmed by their presence. In addition, numerous residents have complained about the increasing number of persons seeking work that are encroaching on their quality of life. Staff, including the Police Department, has received several inquiries from residents, patrons, and owners of these businesses about how best to address this issue.

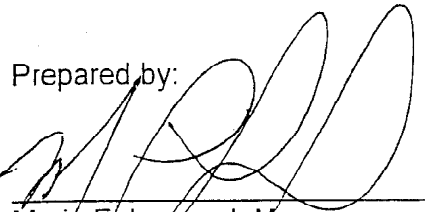
After consultation with several of the business owners, staff has determined that the appropriate measure to address this situation is to amend the ordinance to prohibit solicitation in unauthorized locations in posted commercial parking areas and driveways, as has been done in other cities. The signs will be posted at the request and expense of the Commercial property owners.

Staff will provide the owners with sign specifications, and identify qualified sign vendors as requested. Once the signs are posted, police officers, upon notification by the property owners, will be authorized to issue citations on the commercial property.

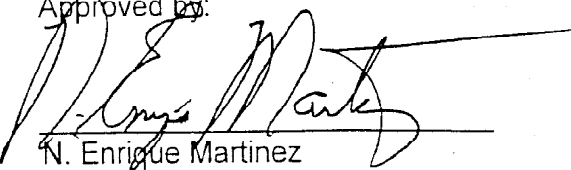
Respectfully submitted,


Cynthia J. Kurtz
City Manager

Prepared by:


Mario E. Leonard, Manager
Northwest Programs

Approved by:


N. Enrique Martinez
Assistant City Manager