

OFFICE OF THE CITY MANAGER

September 13, 2004

TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: UPDATE ON NO VEHICLE SOLICITATION ORDINANCE

On September 1, 2004, staff provided an update to the Economic Development and Technology Committee on the effectiveness of the "No Vehicle Solicitation Ordinance" as directed by Council on April 26, 2004.

The Committee agreed that the report on the update would move forward to Council with staff to follow-up on the following issues:

1. Provide a comparison of 2003 and 2004 use of the Job Center before and after adoption of the Ordinance (see Attachment 1).
2. Provide a copy of the audit conducted by the Finance Department on April 28, 2003 (see Attachment 2).
3. Review the feasibility of requiring any organization that distributes food and beverages to display their logo on disposable materials. It is unclear if the City has the authority to impose this requirement. It is currently under review by the Health Department and the City Attorney's Office.

Respectfully submitted,

Cynthia J. Kurtz
City Manager

Attachments

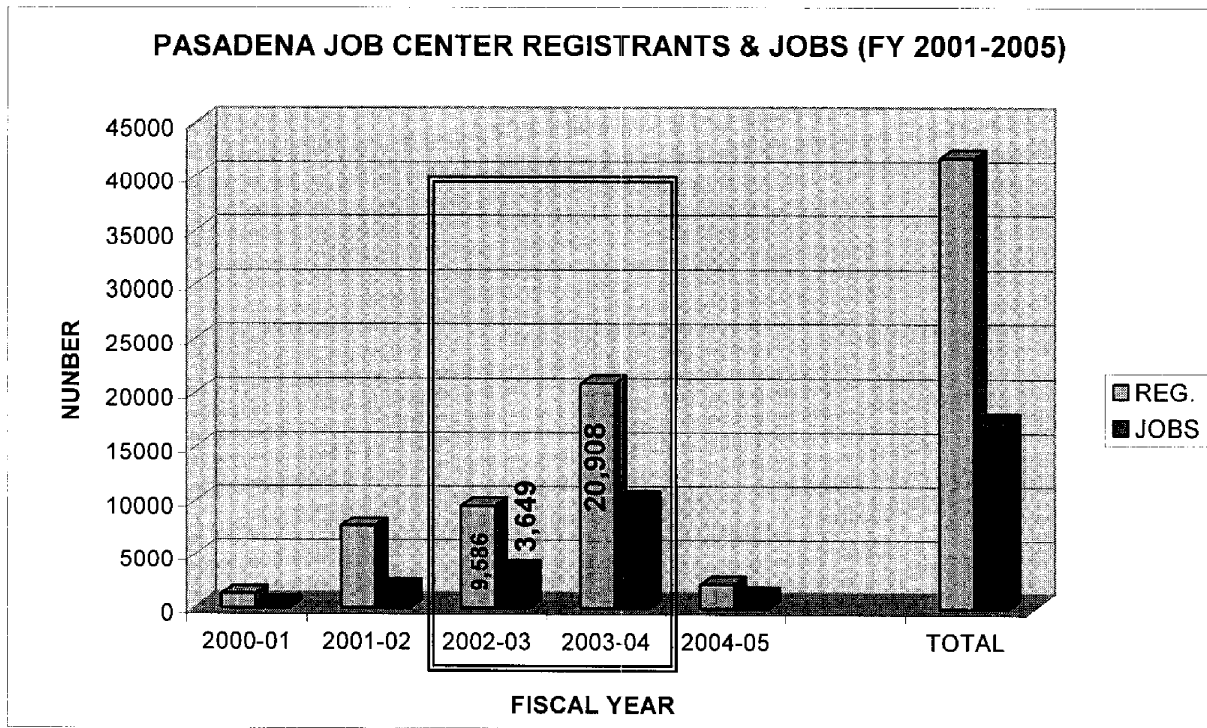
ATTACHMENT 1

PASADENA JOB CENTER REGISTRANTS AND JOBS (FY 2001-2005)

TABLE 1

FISCAL YEAR	REGISTRANTS	JOBS
2000-01	1,304	324
2001-02	7,675	1,991
2002-03	9,586	3,649
2003-04	20,908	10,210
2004-05	2,253	1,223
TOTAL	41,726	17,397

CHART 1



Attachment 2

PASADENA JOB CENTER HIRING SYSTEM AUDIT

Mr. Raul Anorve, Executive Director
Institute of Popular Education of Southern California (IDEPSCA)
Pasadena Community Job Center
1565 West 14th Street
Los Angeles, California 90015

RE: Pasadena Community Job Center Hiring System Review

SCOPE

The City of Pasadena's audit staff conducted a review of the Pasadena Community Job Center's hiring system to determine that the job center's job placement procedures were in compliance with the job allocation rules established by the Job Center. The job allocation rules in place were agreed upon by members of the center, and are based on what the members believe is equitable and fair.

PROCEDURES

The procedures applied consisted of interviewing staff, reviewing documentation on hiring system in place, observing the job placement process and reviewing hiring records for the past calendar year.

City audit staff had an initial meeting with Job Center staff on April 10, 2003. The Job center executive director and site coordinator were interviewed in regards to the hiring process. Documentation on the job allocation rules was provided. This rules and regulations are also posted at the center. See Attachments for job allocation documentation.

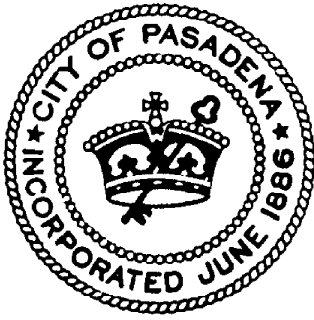
City audit staff observed hiring procedures on April 28th, 2003. Staff observed the opening of the Job Center at ten minutes to 6:00 a.m. As workers came in, they proceeded to register and obtain a ticket to enter the lottery. If they spoke English, they could obtain two tickets, and enter two lotteries. One lottery was for all general labor, No English required. The other lottery was for general labor, English required. The first lottery took place 6:15 a.m. As a result of the lottery, a list of five workers was compiled. The list consisted of three no English required and two English required. As the employers came in, they would make their request to the site coordinator. As workers were assigned to jobs in order of the list, another lottery was conducted in order to always have five workers on the list. In some cases, the employer had a special request, if the workers on the list did not satisfy criteria, other workers not on the list would be assigned. The employer's request was the first priority in the job placement process. The second priority was to use the lottery as much as possible in allocating the jobs. The job placement process was in accordance with job allocation rules posted at Job Center.

Hiring records were reviewed at the Job Center by City audit staff. The records reviewed were for the period from 5/1/02 thru 4/30/03. A sample of twenty five items was pulled for review. The records were reviewed for compliance with job allocation rules set by Job Center. No exceptions were noted. However, improved documentation would be suggested in the hiring records. Records should consistently provide a listing of lottery results and document exceptions to use of lottery list.

FINDINGS

City of Pasadena audit staff noted no exceptions in the limited procedures conducted on the Hiring System of the Pasadena Job Center. Based on our review, the Hiring System of the Pasadena Job Center is in compliance with the job allocation rules set in place by the Job Center.

Department of Finance
City of Pasadena



Agenda Report

DATE: September 13, 2004

TO: CITY COUNCIL

THROUGH: ECONOMIC DEVELOPMENT & TECHNOLOGY COMMITTEE (9/1/04)

FROM: CITY MANAGER

SUBJECT: UPDATE ON NO VEHICLE SOLICITATION ORDINANCE

RECOMMENDATION

This report is for information only.

BACKGROUND

On April 26, 2004, the City Council requested staff report on the status of the recommendations approved by the Economic Development & Technology Committee on April 21, 2004, which were to encourage day laborers and employers to utilize the Job Center and to protect the quality of life in residential neighborhoods.

Following is an update on the recommendations as directed at the April 26, 2004 City Council meeting (report attached).

▪ **Ensure that vigorous enforcement efforts are continued**

Citations - Since July 2003, during a total of 196 days, the Police Department has logged a total of 717 personnel hours and issued 63 citations to drivers for soliciting in violation of the ordinance. The majority of the citations were issued between 6:00 and 10:00 am. An additional 122 citations were issued in the area for other violations including red lights, jaywalking, no stopping, etc.. The police log noted that an average of 40 day laborers were on the sidewalks seeking work each day.

No trespassing letters – The Police Department held two meetings on 5/6/04 and 8/12/04 to inform residents about the ordinance, no trespassing letters, and no trespassing signs. Flyers were distributed throughout the community as part of the

outreach effort. Several homeowners (6) have signed no trespassing letters to provide police with authority to cite individuals who trespass on their property. The Police Department has also distributed disposable cameras to homeowners to allow them to take photos of drivers when they pick up day laborers on the street in violation of the ordinance. The police review the pictures and contact the drivers if they are deemed to be in violation of the ordinance.

- **Research traffic impact of restricting right or left turns off of Fair Oaks Avenue to Villa Street during hours of 6:00 am and 11:00 am**

The Transportation Department is conducting a study of the turning movement volumes and collision history at Fair Oaks Avenue and Villa Street to justify possible turn restrictions. The tentative completion date is September 30, 2004.

- **Inform contractors of Job Center services when they obtain their business license or permits**

Brochures advertising the Job Center have been placed in the Permit Center and the Municipal Services Division for contractors as well as residents interested in employing day workers. In addition, plastic bags advertising the Job Center have been provided to local hardware stores to be distributed at the point of purchase.

- **Provide more signage on north-south streets adjacent to Villa Street**

Orders for 40 No Solicitation and 30 guide signs were placed mid-July and delivered on August 19th. Installation of the signs is anticipated by September 17, 2004. The signs will be installed on the following streets: Eureka, West Villa, Raymond, Summit, Marengo, and Los Robles (Maple to Orange Grove).

- **Review legal issues**

A separate report will be forthcoming from the City Attorney.

Additional Action

Since February 2001 when the center opened, the monthly registrants averaged 326 for the first five months. However, this figure has increased to 2,253 as of July 2004, with monthly jobs increasing from 81 to 1,223 in the same period. Homeowners provide the majority of employment, representing 976 of the employers compared to 138 from contractors and 109 from retail and commercial business owners.

Staff is working with the Center on additional measures that are designed to enhance the facility and make it attractive for day laborers and employers alike. These measures include:

- **Train the Trainer Program** – Staff, with representatives from Planning & Development, Public Works, Water & Power, and Human Resources, have met to develop a train the trainer curriculum to help day laborers improve their skills and reduce employment barriers. The curriculum includes classes in plumbing, electricity, landscape maintenance, carpentry, masonry, and painting, as well as safety classes. Several training opportunities were scheduled with MASH at their work sites, however the times did not fit the day laborers' schedules. Staff is working with Job Center staff to coordinate flexible schedules that work for staff and the day laborers.

- **Day Laborer Meetings** - Several meetings have been held with representatives and day laborers from the Job Center, with day laborers who prefer to seek work from the streets, and with representatives from Lake Avenue Congregational Church to explore how they can work together to resolve conflicts and increase work opportunities for day laborers. The meetings, which are facilitated by Northwest Programs, are held on a bi-weekly basis and are conducted in Spanish with English translation. The difficulty in synchronizing the day laborers' availability with the meeting schedule has resulted in cancellation of some meetings, but in general the discussions have been very positive. The meetings are on going.

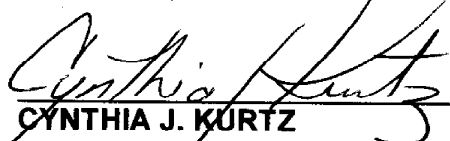
- **Signage for Businesses** – No solicitation signage for businesses will be installed upon amendment of the ordinance. The signs will have text comparable to cities with similar ordinances. The Transportation Department will finalize the specifications.

- **Job Center Façade Improvement** – The canopy overhang was removed by the property owner allowing for the façade improvements to proceed. The improvements will include new paint colors, signage and awnings. The workers will paint the building as part of the Train the Trainer program with MASH. The tentative start date is September 9, 2004.

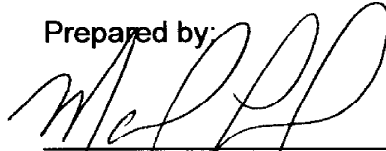
FISCAL IMPACT:

This item is for information purposes only at this time and therefore has no financial impacts.

Respectfully submitted,

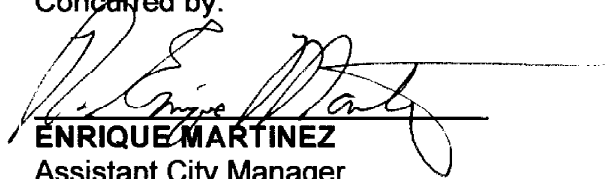

CYNTHIA J. KURTZ
 City Manager

Prepared by:



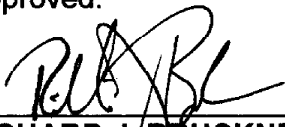
MARIO E. LEONARD
Northwest Manager

Concurred by:



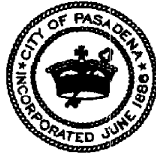
ENRIQUE MARTINEZ
Assistant City Manager

Approved:



RICHARD J. BRUCKNER
Director of Planning & Development

ATTACHMENT



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:

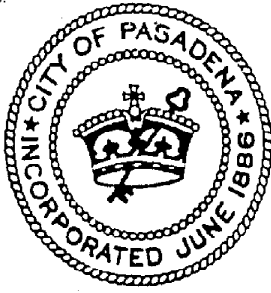
- Ensure that vigorous enforcement efforts are continued
- Research traffic impact of restricting right or left turns off of Fair Oaks Ave. to Villa St. during the hours of 6 am and 11 am.
- Inform contractors of job center services when they obtain their business license or permits
- Research with the 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,


M. 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.

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.

ATTACHMENT



OFFICE OF THE CITY MANAGER

April 22, 2004

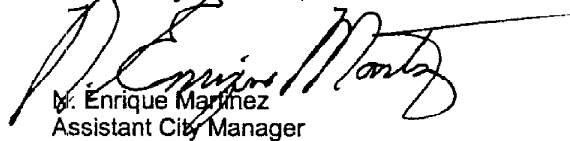
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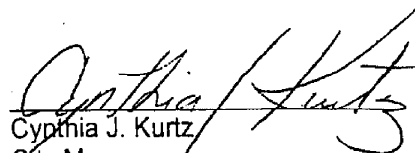
Respectfully submitted,


Enrique Martinez
Assistant City Manager

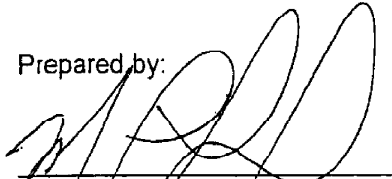
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Staff will provide the owners with sign specifications, and identify qualified sign vendors as requested. Once the signs are posted, police officers, upon notification by the property owners, will be authorized to issue citations on the commercial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

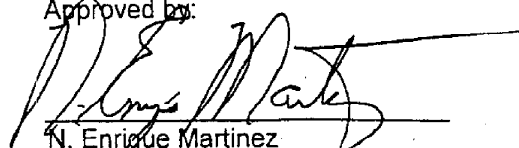
Respectfully submitted,


Cynthia J. Kurtz
City Manager

Prepared by:


Marjo E. Leonard, Manager
Northwest Programs

Approved by:


N. Enrique Martinez
Assistant City Manager