



Agenda Report

April 18, 2016

TO: Honorable Mayor and City Council

THROUGH: Municipal Services Committee (April 12, 2016)

FROM: Department of Transportation

SUBJECT: AMENDMENT TO THE PASADENA MUNICIPAL CODE SECTION 10.40.030 TO ALLOW FOR IMMOBILIZATION OF VEHICLES AS AN ALTERNATIVE TO TOWING

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the following proposed action is exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b) (3); and
2. Direct the City Attorney to prepare an ordinance and return within 60 days, amending Section 10.40.030 of the Pasadena Municipal Code to allow for the immobilization of vehicles by booting upon adoption.

BACKGROUND:

The Parking Division of the Department of Transportation is proposing using vehicle immobilization as an alternative to towing vehicles that have five or more past due citations with the City. Vehicle immobilization, commonly referred to as "booting," is a less impactful method of ensuring that overdue parking fines are paid to the City. Currently, vehicle towing and impounds serve as one of the more effective overdue parking collection methods that the City employs. The process for towing a vehicle and for recovering a towed and impounded vehicle once the parking fines have been paid is time consuming. The booting approach would reduce the time and activities needed to immobilize a vehicle and for a vehicle owner to recover the use of the vehicle impounded for non-payment of parking citations. Additionally, a booting program would allow us to provide better customer service to our citizens. Instead of having to travel to the impound yards that are all outside of Pasadena, a booting program would allow drivers to pay the boot fee and their past due citations and have the boot removed without having to leave the City.

The California Vehicle Code Section 22651(i)(1) authorizes City parking enforcement staff to tow and impound a vehicle that has been issued five or more notices of parking violations to which the owner has not responded. California Vehicle Code Section 22651.7 authorizes City parking enforcement staff to utilize an immobilization device in lieu of towing and impounding vehicles with five or more notices of parking violations that are delinquent. It is important to note that the department would continue to use towing for vehicles parked in tow-away zones, abandoned vehicles, driveway blockage and in situations where booting a vehicle with overdue parking citations was impractical. In the case of both booting and towing, a City Parking Enforcement officer is required to be present during the immobilization or impound process.

The City of Pasadena's General Fee Schedule includes fee number 1252, Boot Fee. The fee was adopted into the General Fee Schedule in Fiscal Year 2013. The proposed amendment to Pasadena Municipal Code Section 10.40.030 is necessary to implement a booting program and to utilize the Boot Fee.

In 2015, City parking enforcement staff impounded 183 vehicles that had five or more delinquent parking citations. In prior years, City parking enforcement staff impounded an average of over 400 vehicles per year. The booting program, if approved, is estimated to affect approximately 200 vehicles annually. The boots would be applied by City staff.

There are three main categories of cost to the City for the booting program:

1. The capital cost of the booting equipment (approximately \$1,500 per boot). Ongoing maintenance and replacement cost would also be incurred. Depending upon type of equipment selected the maintenance cost could be a fee for services by a vendor or a direct staff labor and materials cost for the City.
2. The staff labor cost to install/recover the boots – this cost would not be new since staff is currently impounding scofflaw vehicles via towing. The booting program would be expected to increase efficiency since the time required to boot is much less than the time required to tow a vehicle.
3. The transaction cost for remote payment of the booting fee if such a method is used – this cost would be incurred if remote unlocking of the boot is employed or if a turnkey approach to booting is used that would use a vendor to supply and manage the boots.

All of these costs would be recoverable via the Boot Fee, which, as a cost of services fee, could be adjusted to reflect changes in the cost of service. Under whichever technology selected, the parking violation citation fine would be collected in addition to the Boot Fee.

Because the technology for booting is evolving, the purchase/service options available to the City are changing. If the booting program is approved, selection of a booting technology and delivery method will be handled via standard purchasing procedures.

COUNCIL POLICY CONSIDERATION:

The proposed action is consistent with the goal of the Strategic Plan to maintain fiscal responsibility and stability by providing a less impactful means of collecting revenues owed to the City.

ENVIRONMENTAL ANALYSIS:

Implementing a vehicle immobilization plan would be exempt from CEQA per section 15061 (b) (3), the General Rule. The General Rule can be applied when it can be seen with certainty that the activity will not have a significant effect on the environment. The proposed action will not result in any new development or physical changes.

FISCAL IMPACT:

The cost of the booting program would be offset by collection of the Boot Fee. The staff cost of the program is already incorporated in the Parking Enforcement budget of the Department of Transportation as part of the annual operating budget. The flexibility of the booting program may result in a higher overall rate of collections for overdue citations that would benefit the City's General Fund.

Respectfully submitted,



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