



OFFICE OF THE CITY MANAGER

June 3, 1999

To the Honorable City Council
Of the City of Pasadena

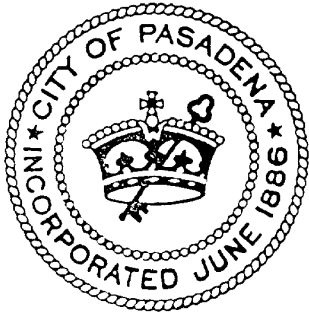
Mayor and Councilmembers:

Cruising Ordinance

On May 27, 1999, the Cruising Ordinance Agenda Report went before the Public Safety Committee. The meeting was chaired by Vice Mayor Streator and attended by Councilmember Madison. The Committee approved forwarding the ordinance to the City Council with the recommendation that it be amended to reflect that three (3) trips within four (4) hours (rather than five hours) through a designated traffic control point constitutes an infraction.

Respectfully submitted,

CYNTHIA J. KURTZ
City Manager



Agenda Report

TO: City Council **DATE:** May 27, 1999
VIA: Public Safety Committee
FROM: City Manager
SUBJECT: Establishment of an Ordinance Controlling Vehicular Cruising

RECOMMENDATION:

It is recommended that the City Council direct the City Attorney to prepare an ordinance regulating vehicular cruising.

BACKGROUND:

Over the recent years, Old Pasadena has evolved into a popular entertainment mecca, hosting as many as an estimated 30,000 to 40,000 customers on any given weekend. The variety of entertainment, restaurants, movie theaters, nightclubs and well-known shopping establishments has attracted a diverse crowd of all ages. By any standards, Old Pasadena has proven to be a success.

With its success, Old Pasadena is also experiencing some growing pains. Certain activities have become increasingly frustrating for the Old Pasadena business community. The activity includes "cruising" as well as groups of people "hanging out" along the sidewalks, each frequently exchanging dialogue with the other. While this activity may appear harmless, included in these groups of youth are gang members and others who are inclined to become involved in shootings, stabbings, fights, or simply intimidating conduct. Fortunately, the frequency of such incidents is low.

Nevertheless, these incidents, as well as perceived potential for such events, are having a negative impact on Old Pasadena. Consequently, an early crowd that consists of families and couples eventually yields to a more youthful crowd with

differing methods of entertainment. Business owners have reported that many patrons do not feel comfortable in the area on Friday and Saturday nights.

The cruising subset has emerged in greater numbers since the summer of 1998. In conversations with police officers, the “cruisers” have indicated that they come to Old Pasadena because law enforcement has prevented them from engaging in similar activity in other jurisdictions. Frequently, these individuals are 18 to 21 years of age, too old to be in violation of curfew laws, but too young to be admitted into bars and clubs. While the vast majority continually cruises Colorado Bl., several individuals to a car, many also loiter on the sidewalks and exchange dialogue with their counterparts in the passing vehicles.

Cruising traffic has built up to the point that it is not unusual for Colorado Bl. to be gridlocked for several hours on weekend nights. On any given weekend night, the number of cars simply cruising the Bl. is well into the hundreds. Traffic has been so heavy that several restaurants and retail shops have modified their hours to close earlier because customers simply will not patronize them. The cruising activity begins generally at about 8:00 p.m. and continues well past midnight.

Traditionally, the two largest cruising venues in Southern California have been Whittier Bl. and Hollywood Bl. The vast majority of the youth cruising Old Pasadena are not from the Pasadena area and those willing to have a candid conversation readily admit that law enforcement has ruined cruising on Whittier and Hollywood Bl’s. Pasadena is, by default, the cruiser’s choice. Cruisers have been identified by the police as coming from as far away as Riverside, San Bernardino, Orange, San Diego, Kern, and Ventura Counties.

Section 21100 (k) of the California Vehicle Code permits local jurisdictions to establish an ordinance regulating cruising. In summary, it states:

An ordinance may regulate cruising, which shall be defined as the repetitive driving of a motor vehicle passed a traffic control point in congested traffic, as determined by the ranking peace officer on duty. It requires that the vehicle operator be given adequate written notice that further driving past the control point within a specified time will be a violation of the ordinance. Signage prohibiting cruising is an additional requirement.

As is the case with ordinances adopted by the previously mentioned cities, should Pasadena develop a cruising ordinance, it is mandated to follow the California Vehicle Code guidelines. However, the California Vehicle Code does not establish a specified time, nor the frequency of trips passed a traffic control point which would constitute a violation, but rather, leaves for the local jurisdiction to establish such through the local ordinance.

The following broadly describes the process that the Pasadena Police Department believes to be reasonable, and seeks to establish language in an ordinance that would allow for such an enforcement effort:

- The Watch Commander or his designee (typically a Traffic Unit sergeant) declares that traffic is congested. He/she then identifies a traffic control point, such as Colorado Bl. and Pasadena Avenue.
- Officers at or near the traffic control point will record the make and license number of vehicles passing the traffic control point. An effort will be made to record said data for every vehicle passing the traffic control point. This data will be provided in real time to a data collection person with a portable computer. Information will be collated on a spreadsheet program. An attempt to make a second or subsequent entry of data already collected will cause the program to notify the operator that a vehicle has already passed the control point.
- When a traffic officer is advised that a given vehicle has passed the traffic control point more than once in a given five hour period, that officer shall personally provide the occupants of the motor vehicle with a printed notice outlining the elements of the cruising ordinance. This will include associated penalties for passing through the checkpoint any additional time within that given five-hour period.
- Attempts to input data for a specific vehicle on three or more instances within the specified time period will alert the data operator that the occupants of a given vehicle may be subject to citation. The traffic officer will be so advised that enforcement action may be taken as appropriate.

The cities of Pico Rivera, Newport Beach, San Jose, Salinas, Los Angeles, Huntington Beach, Anaheim, Riverside, and National City have all enacted similar cruising ordinances subsequent to similar experiences. An informal survey was taken by the police department of these cities to determine the reasoning behind establishing their respective ordinances, and their experiences upon implementing the ordinances. Common to all were the following:

- Ordinances were enacted in response to gridlock traffic and its associated problems.
- Impact of the ordinance, from a business standpoint, was universally positive – gridlock traffic has been greatly reduced and business income has increased.
- Other enforcement means, such as traffic diversions, street closures, and saturation enforcement patrols, which resulted in temporary success, were exhausted prior to enactment of a cruising ordinance.
- Cruising ordinances have all accomplished the intended result; cities with ordinances have not experienced a recurrence of the cruising problem to the level that would warrant additional enforcement programs. In some cases that has been more than a decade.

Each of these cities has established different criteria as to what constitutes a violation of the ordinance. They are as follows:

CITY	WRITTEN WARNING	CITATION	TIME-FRAME
Anaheim*	2 nd trip	3 rd trip	2hours
Huntington Beach*	2 nd trip	3 rd trip	4hours
Los Angeles*	2 nd trip	3 rd trip	2hours
National City	1 st trip	2 nd trip	4hours
Newport Beach	1 st trip	2 nd trip	6hours
Pico Rivera	1 st trip	2 nd trip	4hours
Riverside	1 st trip	2 nd trip	4hours
Salinas	1 st trip	2 nd trip	6hours
San Jose	1 st trip	2 nd trip	4hours

In Anaheim, Huntington Beach, and Los Angeles the first trip is formally recorded. The second trip is when the contact and written warning is issued. In the remaining cities, the enforcement team determines what constitutes a first trip. Generally this will mean that they have observed the vehicle on several prior occasions.

The City of San Jose appears to have one of the newest cruising ordinances enacted. Sgt. Bytheway of the San Jose PD Traffic Enforcement Unit indicated that their ordinance was established approximately three years ago. This came as a result of complaints from residents and businesses that cruising was disruptive of their interests. He stated that cruising enforcement operations were conducted early on and met with positive results. They have not found the need to utilize the cruising ordinance for more than two years.

As a result of questions raised by City Council, the Public Works and Transportation Department conducted a preliminary evaluation exploring alternative engineering solutions that may help to relieve the cruising problem. In that preliminary assessment, they determined that traffic on Colorado Bl. could either be facilitated or discouraged by signal timing and other traffic controls. Extending the phasing of green lights on Colorado Bl. may encourage cruisers to move along, but would impede cross traffic and pedestrian crossings of the Bl. The utilization of flashing red signals or all way stops would develop into a situation where it would be likely that no vehicles could move due to pedestrian activity.

Another alternate approach identified by Public Works was the possibility of closing Colorado Bl. in Old Pasadena to vehicular traffic. In this way, all traffic would be re-routed to Union and Green streets. This would relocate the thrust of

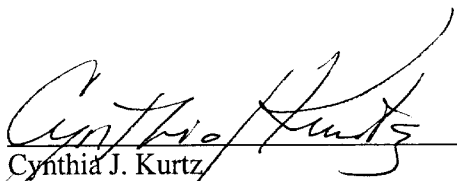
the cruising activities to streets that currently have fewer pedestrians, but would not guarantee that the problem goes away. It would also have a negative impact on business access, ingress and egress to the parking structures, and result in lost parking spaces. Finally, it would close Fair Oaks Ave. through Old Pasadena, a major thoroughfare, thereby adversely impacting alternate north/south routes. Support for such radical measures has not developed in Old Pasadena, where the mix of vehicles, valet operations, and pedestrians is part of the overall ambiance. Costs to implement such temporary diversions/closures were not calculated.

Any solution that might be forthcoming through engineering approaches, would take extensive time and consensus building, and would involve substantial changes to the operation of Old Pasadena street systems on weekend nights. This approach is therefore not viewed as a timely cure for today's cruising problem.

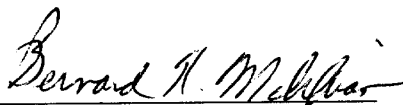
FISCAL IMPACT:

Existing police department resources will be adequate to conduct any cruising enforcement operation. Personnel committed to such an operation would include both on-duty traffic officers and off-duty personnel routinely assigned to Old Pasadena on an overtime basis and funded by existing parking meter revenues. Annual projections are difficult due to the uncertainty of how many such enforcement programs would be required to mitigate the problems associated with cruising. In any event, there are sufficient funds within the police department exiting Traffic Section and Parking Meter Fund budgets to support any such programs.


Respectfully submitted,


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