



Memorandum

TO: BUILDING STRONG
NEIGHBORHOODS COMMITTEE

FROM: James R. Helmer
Stephen M. Haase

SUBJECT: VEHICLE ABATEMENT
PROGRAM AND PILOT UPDATE

DATE: 11-09-05

Approved

Date

RECOMMENDATION

It is recommended that the Building Strong Neighborhoods Committee (BSN) accept this report.

BACKGROUND

This report provides an update and notification that after careful consideration and data review, the City Manager's Office has approved transferring the Vehicle Abatement Program from Planning, Building, and Code Enforcement (PBCE) to the Department of Transportation (DOT).

At the May 16, 2005 BSN meeting, staff from PBCE, DOT and the City Manager's Office provided the committee members with an update on a pilot program that examined the feasibility of transferring Vehicle Abatement from PBCE to the Parking Compliance Unit in DOT. The report presented a three-month performance update on the six-month pilot program. The Committee accepted the report, and expressed concerns with repeat offenders of excessive vehicle storage on streets and low fine amounts for commercial vehicles parking in residential areas during posted street sweeping hours.

After the May 16th BSN meeting, DOT staff met with representatives from Council Districts 1 and 9 and the City Attorney's Office to explore possible changes to the San Jose Municipal Code that would more specifically define "movement of vehicles" in an effort to reduce excessive and repeated vehicle storage on the street, and increase the fine amount for commercial vehicles being parked in residential neighborhoods. Input from Council Districts 1 and 9 was sought based upon their specific concerns, and references in the Mayor's June Budget Message to these Council Districts and their efforts to solve these issues.

ANALYSIS

Storage of Vehicles on a City Street MC 11.36.220

DOT staff has been working with the City Attorney's Office on a potential amendment to the Municipal Code to better define the movement or shifting of a vehicle to avoid the abatement process. This is particularly relevant when individuals push or move their vehicle a short distance, or shift the vehicle from space to space resulting in movement of only a few feet. Many of the vehicle storage complaints the City receives necessitate returning and remarking the tires of vehicles that are suspected of being stored, simply because the vehicle was moved a few feet so that the previous tire markings are no longer visible to the inspecting officer. The process is time consuming, and based upon the volume of repeat complaints received over the years, has undoubtedly contributed to the storage of inoperable vehicles on the street.

San Jose Municipal Code 11.36.220 governs the storage of vehicles on a City street, and states that no *vehicle may be parked upon any street or alley for more than a consecutive period of seventy-two (72) hours*. However, this code does not define what distance or "movement" of the vehicle is sufficient to determine that the vehicle is not being stored. This lack of definition makes it difficult to properly enforce against the storage of vehicles on the street, especially when individuals move vehicles short distances, even as little as a few feet.

Staff conducted a review of ordinances from other cities including San Francisco, Mountain View, Palo Alto, Los Altos and Los Gatos and discovered that most other cities have either defined the term "movement" or included verbiage that restricts the shifting of vehicles from space to space in order to avoid receiving citations and/or being towed. The following are examples of the distances defined in the respective Municipal Codes:

San Francisco:	One Block
Mountain View:	1,000 feet or 2/10 of a mile
Palo Alto:	5/10 of a mile
Los Altos:	1,000 feet
Los Gatos:	5/10 of a mile

After consulting with the City Attorney's Office, the following amendment to Municipal Code Section 11.36.220 is being evaluated for proposal to the full City Council for approval:

" No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley and not move the vehicle more than one-tenth (1/10) of a mile from the original parking space for more than a consecutive period of seventy-two hours. For the purpose of this section, attempting to eradicate or hide the tire markings may result in the issuance of a citation and removal of the vehicle without further warning pursuant to California Vehicle Code Section 22669."

Commercial Vehicle Parking Prohibition In Residential Districts - MC 11.36.290

Currently, when a commercial vehicle weighing over ten thousand pounds (as defined in MC 11.36.290) is parked in a residential area during a designated street sweep, it is treated the same as any other vehicle. The citation fine for commercial vehicle parking in residential districts is \$56 and the fine for parking any vehicle when it is prohibited for street sweeping is \$36.

According to the City Attorney’s Office, since the City already has a fine restricting any type vehicle from parking in a sweep zone during sweeping, it would be inappropriate having a higher fine for certain type vehicles violating the same restriction. By administrative policy and written procedure, the Parking Compliance Unit does not stack citations¹, however if a large commercial vehicle was to park in a sweep zone, they could be cited for both MC 11.36.290 and MC 11.36.190. By changing the policy allowing stacking of citations, this could raise the cumulative fines for a commercial vehicle being in the sweep zone to \$92, and could be a better deterrent and help achieve the goal of cleaner streets. However, in light of our administrative practice, we are not recommending this approach at this time.

An alternative could be to just raise the fine to be consistent with other large Bay Area cities for a commercial vehicle as defined in 11.36.290 from parking in a residential area. A comparison of the fine for MC 11.36.290 shows that San Jose’s fine is low in comparison to San Francisco and Oakland. The table below compares the fines amounts for MC 11.36.290 (Commercial Vehicle in a Residential zone) among a number of bay area cities:

San Jose	San Fran	Sunnyvale	Oakland	Los Gatos	Palo Alto	Mt. View
\$56	\$100	\$32	\$122	\$53	\$52	\$65

Staff is considering proposing increasing the penalty for this violation, as an additional deterrent. The proposal will be formulated during the 2006-07 budget development process.

Vehicle Abatement Pilot Program Update

The driving force behind initiating the pilot program was to improve response times for initial complaints involving abandoned or excessively stored vehicles on public streets. The underlying rationale for doing so included economies of scale that could be achieved by merging the smaller Vehicle Abatement Unit in PBCE with the larger Parking Compliance Unit in DOT. By consolidating both units, the larger pool of staff resources could more effectively be applied to improve overall vehicle abatement and parking compliance services in an integrated manner.

Updated Performance Measures Established for Pilot Program

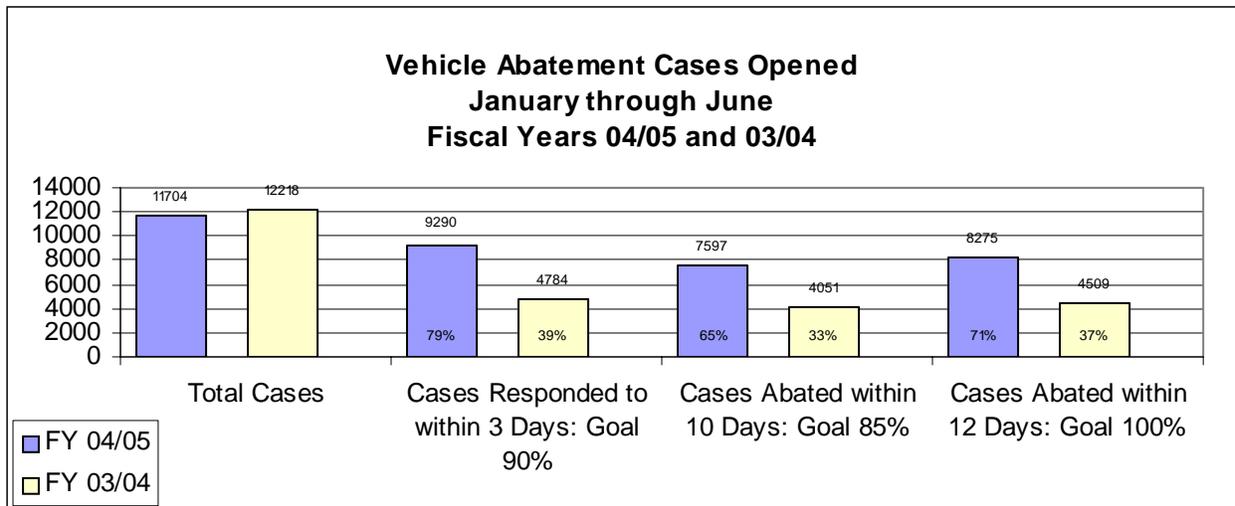
The following program performance measures for the Vehicle Abatement Program were developed for use during the six-month pilot:

¹ Stacking citations – Example: A vehicle is parked at a meter and the meter is expired and the vehicle is out of space. The PTCO would issue either an out of space or meter violation, not both.

- ❑ Complaint Response Cycle Time Measures:
 - Complaints for vehicle abatement processed and assigned to a Parking and Traffic Control Officer (PTCO) within 1 day - 90% of the time
 - Initial response by a PTCO to a vehicle abatement complaint within 2 days of receipt of the assigned service request - 90% of the time.
- ❑ As prescribed by law, 3 days after a vehicle is marked/tagged it is eligible for abatement activity to begin; the abatement process will be completed and the case closed within 7 days - 85 % of the time, and 100% within 9 days.
- ❑ Percentage of complainants rating the overall response to a request for vehicle abatement services as good or excellent (4 or better based on a 1 –5 scale).
- ❑ The pre-pilot and pilot period revenue impact will be evaluated at the conclusion of study.

Pilot Program Performance Data (6 months)

The performance data shown below illustrates an improvement in performance during the pilot period when compared to the same six-month period of time for the prior year (performance improvements may be attributed to operational changes and new performance targets) Improvement was seen not only for the initial response to requests for service, but also in the follow-up and closure of cases received. In addition, a significant increase in the number of citations occurred during the pilot period that has certainly contributed to improved performance.



Customer Satisfaction Survey

As reported at the May BSN Committee meeting, a pre-pilot and pilot customer satisfaction survey was developed by the City Manager’s Office. A telephone survey was conducted during the months of April and May 2005 by the City Call Center staff. The survey contacts included 100 customers prior to the pilot program and 100 customers (residents with complaints about

abandoned vehicles) during the pilot program. The major results of the survey are illustrated in the table below:

Customer Satisfaction Survey Data
 Percentage of Customers responding “Very Satisfied” or “Satisfied”

	Pre-Pilot	Pilot
Ease of Request	76.4%	88.8%
Timeliness of Response	71.0%	82.2%
Resolution Satisfaction	76.5%	86.0%
Overall Quality	73.5%	84.1%

Significant increases in customer satisfaction (from ten to twelve percentage points) were found in each of the four principal aspects of service delivery during the pilot phase as compared to the pre-pilot operations. The satisfaction percentage increases in the pilot phase come from reductions in percentages of pre-pilot customers reporting low satisfaction (either “dissatisfied” or “very dissatisfied”. Approximately the same percentages responded “neither satisfied nor dissatisfied” in each group.

Citations Issued/Revenue During Pilot Program

The tables below illustrate activity and revenue comparisons for citations issued. During the first two quarters of FY 2004-05, prior to the implementation of the pilot program, the Vehicle Abatement Section issued 2,307 citations, with 901 citations paid. During the pilot program, 3,012 citations were issued, with 1,058 citations paid, as of August 4, 2005. Along with the increase in citation issuance, staff was asked to expand their area of focus to address other types of parking violations, such as time restrictions, blocking sidewalks and hydrants. This new service delivery model has resulted quicker response times to initial requests for service and the citation issuance rate is higher, resulting in a modest increase in revenue.

Citation/Revenue Comparison for Same Period, FY 2004/05 and FY 2003/04

The following chart depicts an increase in the number of citations issued and an increase in revenue collected as a result of the pilot program.

Citation Issuance/Revenue for Q3 & 4, FY 2003-04 and FY 2004-05

	Citations Issued	Citation Revenue
FY 2003-04		
July 2003 to December 2003	1,678	\$34,230
<i>January 2004 to June 2004 (Pre-Pilot)</i>	<u>1,482</u>	<u>\$33,472</u>
Totals:	3,160	\$67,702

FY 2004-05		
July 2004 to December 2004	2,307	\$57,595
<i>January 2005 to June 2005 (Pilot)</i>	<i>2,848</i>	<i>\$61,869</i>
Totals:	5,155	\$119,464

The merging of the units has allowed Vehicle Abatement Officers to “proactively” respond to other vehicle code violations. This expansion of responsibility has resulted in an increase in citations, and a modest increase in citation revenue.

Continued Consolidation and Improvement Opportunities

Even though the pilot program was successful in evaluating the effectiveness of consolidating the Vehicle Abatement Program with the Parking Compliance Unit, several issues related to the Vehicle Abatement Program are still pending and will be addressed once the transfer has been completed. In addition, on-going efforts will continue related to improving overall service delivery, supervision, and employee communication and support in the work group.

—Customer Service and Service Requests

- | ☐ The City Call Center has agreed in principle to assume responsibility for all vehicle abatement related service calls, however because the call center is in the process of converting to a Customer Relationship Management System, postponing the transfer until September 2006. Until that time, PBCE will continue to handle call intake and will work with DOT to streamline paper flow and data input.
- | ☐ Explore enhanced website functionality for complaint taking and case status tracking to further reduce overall call volume and improve service.

Follow-up to Employee Benefits and Concerns Workshops

- ☐ As part of the pilot program, staff from the City Manager’s Office conducted a benefits and concerns workshop with employees from both Vehicle Abatement and Parking Compliance.
- ☐ Directors of PBCE and DOT have reviewed a full report of employee concerns raised during the workshops and will work with the supervisors and staff to increase communication with and between employees and to address their on-going concerns.
- ☐ Staff to continue the “Vehicle Spotter Program.” This is a program that DOT will continue and manage going forward.
- | ☐ Develop an implementation plan with the City Manager’s Budget Office to transition program budgets, resources, and positions

COORDINATION

This report has been coordinated with the City Manager's Office and the City Attorney's Office.

CEQA

Not a project

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