



Las Vegas

Agenda Item No.: 3.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 31, 2016

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2016-34 - For Possible Action - Authorizes the establishment and operation of an occasional program by which fines for qualifying parking infractions may be paid by means of the donation of food items or children's toys in lieu of the payment of money. Sponsored by: Councilman Bob Coffin

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will authorize the establishment and operation of an occasional program by which fines for qualifying parking infractions may be paid by means of the donation of food items or children's toys in lieu of the payment of money. The bill authorizes the Parking Services Division to establish program details and limitations, subject to guidelines established in the bill.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2016-34

Motion made by BOB COFFIN to Approve as Do Pass

Passed For: 3; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

STAVROS S. ANTHONY, BOB COFFIN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

SERAFIN CALVO, Parking Services Administrator, stated that the proposed ordinance is to give staff the ability to implement a program in the city of Las Vegas that provides an opportunity to assist the community food banks and local charities. It is not an amnesty program; in lieu of paying fines associated with citations, individuals can donate nonperishable

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food items or unwrapped toys of equal or greater value. This would not include public safety violations. MR. CALVO informed COUNCILMAN BARLOW that the dates were not outlined in the ordinance, but staff would like to offer this program twice a year; once mid-year prior to the beginning of the school year and again towards the end of the year for Christmas, with the City Council approving the exact dates. DEPUTY CITY MANAGER ORLANDO SANCHEZ pointed out that Line 21 on Page 1 of the proposed ordinance addresses this.

When asked by COUNCILMAN ANTHONY how the value of the items was determined, MR. CALVO explained that 60 percent of the citations are for \$20, and the value would be a guestimate based on what the item costs. It was understood the City would not receive dollar per dollar, but the hope was to get as close as possible.

MR. CALVO stated that Parking Enforcement does not have a very good reputation out in the community, and one of the goals of the program was to change that perception by providing a service beyond parking that helped local charities.

COUNCILMAN COFFIN remarked that the value of something could be easily determined by using a smartphone but questioned the amount of time that it would take if a full box of items was received. He thought it would not be easy, and it would be difficult to set up something reliable was set up. MR. CALVO indicated that staff discussed setting a standard for what 10 items may equal instead of placing a value on every item. He confirmed for COUNCILMAN COFFIN that the proposed ordinance enables the program to be set up but does not define the parameters of the program. Not only will this program help with the community's perception of Parking Enforcement, but it will give the offender a break as well. COUNCILMAN ANTHONY commented that this would be a way for individuals to take care of their parking citations and to feel good about it.

COUNCILMAN BARLOW asked how the program would impact the department's budget as far as losses. MR. CALVO explained that the budget currently has a certain amount allotted for uncollectible fines. The program will allow something to be collected instead of nothing; otherwise, there is no impact. He also explained for COUNCILMAN BARLOW how the program would work if there was a boot involved. Bringing in items could lower the amount owed by an individual to where they were no longer boot eligible; so offenders can pay with a combination of both items and cash.

DEPUTY CITY MANAGER SANCHEZ explained that when rolling out the program, he assumed that a dollar threshold would be established by the department. MR. CALVO also noted there were violations stipulated on the second page of the proposed ordinance that are not eligible for this program; these are citations that are usually for a higher dollar amount.

Noting that questions were asked about several details not included in the proposed ordinance, COUNCILMAN BARLOW asked CHIEF DEPUTY CITY ATTORNEY VAL STEED to provide further explanation as to what the ordinance actually was. CHIEF DEPUTY CITY ATTORNEY STEED explained that the concept COUNCILMAN BEERS had was that in

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looking at other jurisdictions, most did not have an ordinance authorizing such a program, so it was thought to be a good idea to put something on the books that at least enabled it. Since this is something that the City has not done before, the decision was made to leave the details up to the Parking Services Division. If the program does not work, it will not be pursued. If the program does prove successful, language specifying the criteria and other details may be added to the ordinance at a later date. He mentioned that Line 23 on Page 1 allows BRANDY STANLEY, Parking Services Manager, the ability to establish a time period in which the citation must have been issued to qualify for the program. She can shape that criteria depending on the value coming forward.

CHIEF DEPUTY CITY ATTORNEY STEED confirmed that this program would not affect the income of the courts, as the program is limited to non-moving violations, which the courts do not handle. DEPUTY CITY MANAGER SANCHEZ added that this was for the Internal Services Fund for Parking Enforcement.

MR. CALVO clarified that the toys needed to be new and non-violent, which COUNCILMAN COFFIN thought might pose a problem for staff. CHIEF DEPUTY CITY ATTORNEY STEED wished to point out that the ordinance states participation in the program is entirely up to the offender; if they do not like the program, they can pay the fine.

COUNCILMAN ANTHONY confirmed with MR. CALVO that staff was willing to put in the extra effort to administer this program and make it happen. MR. CALVO stated that he has been with Parking Services for a long time, and the community assumes all staff wants to do is issue a ticket. Staff tries to reach out to the community as much as they can, and this is another way to do their part. COUNCILMAN ANTHONY agreed that the community believes the main reason parking citations are written is to generate revenue for the City, but that is not the case. Their function is to enforce parking regulations, and this would relay to the public that the City is not just writing citations for the money but to keep parking enforcement reasonable and give back to the community at the same time.

MR. CALVO informed COUNCILMAN BARLOW that the program would be promoted via video spots on KCLV, the City's social media channels, press releases and working with the Council Offices to get the information out.

See Item 7 for related discussion.

COUNCILMAN BARLOW declared the Public Hearing closed.