

# CITY OF OAKLAND

## AGENDA REPORT

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OFFICE OF THE CITY CLERK  
OAKLAND

2008 FEB 28 PM 4:45

TO: Office of the City Administrator  
ATTN: Deborah A. Edgerly  
FROM: Finance and Management Agency  
DATE: March 11, 2008

RE: **A Report and Recommendation on Establishment of a Pilot Project 22 or Similar Program in the City of Oakland for One Year, Particularly As It Relates To Potential Community Payment Program(s) for Indigent Citizens Who Incur Parking Fines**

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### SUMMARY

On February 13, 2007, the Finance and Management Committee directed staff to return to Committee with "a very narrow program for community service to assist low-income individuals with the payment of current tickets." The program will not include tickets in penalty or collection status. This report provides information on the establishment of a pilot Project 22 or similar program in the City of Oakland using the San Francisco Pretrial Diversion Project, Inc. program model.

The San Francisco Pretrial Diversion Project, Inc. (Project 22) is a non-profit organization that oversees several Fine Alternative Programs for citizens who cannot afford to pay their current parking citations or traffic violations. Under these programs, citizens pay administrative fees to Project 22 and perform community service.

### FISCAL IMPACT

Project 22 or a like program would incur costs of approximately \$102,000 annually, which includes \$52,000 for a Public Service Representative (.50 FTE including associated operational costs) and \$50,000 in lost revenue from the General Purpose Fund (1010). Given this negative fiscal impact, the Finance and Management Agency's Parking Division would exceed its budget allocation by \$52,000. Changes to the Master Fee Schedule will be submitted once the program is established.

### BACKGROUND

The San Francisco Pretrial Diversion Project has been in business for 15 years and provides an alternative community service payment program to indigent citizens who incur parking and moving violations fines. The Pretrial Diversion Project, a nonprofit organization, handles the processing of citizen's request to participate in the community service program, monitors and

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supervises the citizens' hours, and submits to the referring city agency the final disposition of the services rendered (progress report), thereby authorizing the removal of fines. Conditions are met when citizens contract with the San Francisco Pretrial Diversion Project by paying a nominal fee to work off parking citations or moving violations. Under Project 22, citizens would be referred to a City of Oakland agency or company where they commit to perform community service hours of work to help pay off parking citations and moving violations received within their respective cities.

Currently, San Francisco Pretrial Diversion Project, Inc. has offices in San Francisco and Oakland. They oversee the program for the City and County of San Francisco and will offer the same services to the City of Oakland under the program name, Project 22. The City of Oakland Parking Division will determine the eligibility requirements for Project 22 and refer all clients to the Oakland office located at 661 Washington Street.

### KEY ISSUES AND IMPACTS

Currently, Project 22 operates solely on program administration fees collected, as it receives no city, state or federal funds. This program's existence relies entirely on the fees paid by its clients. Under Project 22, citizens would pay San Francisco Pretrial Diversion Project, Inc., the following:

- \$20 for 1 – 25 hours of community service
- \$40 for 26 – 50 hours of community service
- \$60 for 51 – 75 hours of community service
- \$80 for 75 – 100 hours of community service

Under the City of Oakland's program, the citizen would perform community service for the following hours:

Citation Amount	Community Service Hours Served	Completion Time
\$0 - \$65	8 hours	Within 2 months of processing
\$66 - \$130	16 hours	Within 2 months of processing
\$131 - \$195	24 hours	Within 2 months of processing
\$196 - \$260	32 hours	Within 2 months of processing
\$261 or more	40 hours	Within 2 months of processing

Eligibility requirements will be developed by the City of Oakland, e.g., citizens will only be allowed to perform community service for current citations, citizens will be allowed to work off no more than five citations per year, and upon electing to perform community service, the citizen must agree to forfeit their right to the administrative appeal process. Another requirement to be considered would be that the registered owner reside and complete their community service in the City of Oakland.

## **SUSTAINABLE OPPORTUNITIES**

Economic: Enactment of a Project 22 type program would afford indigent citizens the opportunity to work off their citation, as long as it is not in a penalty status.

Environmental: The community service program could augment the Public Works Agency Keep Oakland Clean and Beautiful program.

Social Equity: The City of Oakland would support the San Francisco Pretrial Diversion Project through the efforts of socially conscious citizens, the client, and the community by continuing their tradition and philosophy of "Dignity and Respect, Compassion and Accountability".

## **DISABILITY AND SENIOR CITIZEN ACCESS**

The Project 22 program is open to disabled citizens and seniors given that a large number of these citizens could qualify as indigent referrals. Consequently, this program would be an added benefit to these two communities.

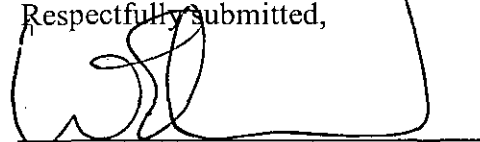
## **RECOMMENDATION (S) AND RATIONALE**

Staff recommends that the City Council adopt a Pilot Project 22 or any like program in the City of Oakland for one year. To address the negative fiscal impact on the budget, staff recommends implementing the program effective July 1, 2008, so that budget adjustments can be accomplished during the mid-cycle budget process.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff requests that the City Council adopt a Pilot Project 22 or any like program in the City of Oakland for one year beginning July 1, 2008.

Respectfully submitted,

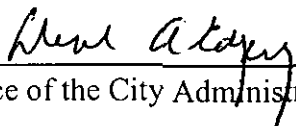


WILLIAM E. NOLAND

Director, Finance and Management Agency

Prepared by: F. V. LarKrith-Thompson  
Parking Division Manager

APPROVED AND FORWARDED TO THE  
FINANCE AND MANAGEMENT COMMITTEE:

  
Office of the City Administrator

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