



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Joe DeVries
Director, Interdepartmental
Operations

SUBJECT: Abandoned Auto Task Force

DATE: October 12, 2021

City Administrator Approval

Date: Oct 14, 2021

RECOMMENDATION

Staff Recommends That The City Council Receive A Report On Abandoned Autos And Other Vehicles, The Number Of Monthly Complaints Via 311 And The City's Turn-Around Time For Responding To And Remediating The Complaints.

EXECUTIVE SUMMARY

The City Council adopted a policy directive for the City Administration to create a task force to focus on the problem of abandoned vehicles that has grown significantly, especially in East Oakland neighborhoods. The City Administrator's office convened the Abandoned Auto Task Force (Task Force) in August, and it has been meeting biweekly to examine and develop strategies to respond more quickly to these service requests. The Task Force consists of the City Administrator's Office, The Oakland Police Department (OPD), the Oakland Department of Transportation (OakDOT), the Economic Workforce Development Department (EWD), Planning and Building Department, the City Attorney's Office and City Council Staff. The Task Force is also developing the transition plan for this work to move from OPD to OakDOT by the beginning of FY2022-23 which was also included as a policy directive in the adopted budget.

The full set of recommendations from the Task Force have not been finalized, but the following report will highlight the key areas of focus for the group.

BACKGROUND / LEGISLATIVE HISTORY

State law prohibits the storage of any vehicle on a public street for a period greater than 72 hours and authorizes local jurisdictions to allow for those vehicles to be removed and stored at the owner's expense. State law also prohibits the washing or repairing of such vehicles except repairs necessitated by an emergency, and the storing of vehicles held or acquired for dismantling, rebuilding, sale or resale, repairing, servicing, scrapping or other salvage processes. A quick summary of relevant Codes and Ordinances is attached (**Attachment A**).

Vehicles are left on the street for more than 72 hours for a variety of reasons: the vehicle has been dumped by a previous owner and is completely inoperable, the vehicle was stolen and persons stripped it for parts, the vehicle is being offered for sale, or being repaired or stored by

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an authorized or unauthorized mechanic shop. Often a simpler answer is the owner has not had a need to use their car for several days and during the Pandemic Shelter-In-Place this was very common. As workers can telecommute, the need to move their car regularly diminishes.

The Business & Information Analyst Division of Public Works that maintains the Cityworks database for service requests prepared a thorough assessment of the total number of calls for service in this category and key elements to how those calls are resolved, a summary of which is included in this report (**Attachment B**). Based on data from 2019 and 2020 (and a portion of 2021), the City receives approximately 16,366 requests per year to remove a vehicle in violation of the vehicle code (average of 1,363/month). Approximately twenty-five percent of those requests resulted in a vehicle being towed by OPD (average of 340/month). This number does not include vehicles that someone resides in, as those are handled separately and are not discussed in this report. The average time to close a service request has fluctuated significantly during the past two years and currently is approximately 53 days. However, vehicles that are blocking a travel lane, driveway, or are identified as immediately unable to drive (stripped, dismantled, or missing key parts such as wheels) are removed much more quickly than vehicles that otherwise appear to be operable.

ANALYSIS AND POLICY ALTERNATIVES

The Task Force identified four key concerns that are fueling the problem seen on Oakland streets: 1) the number of Gone on Arrivals (GOAs), 2) Neighbor-on-Neighbor complaints (NONs), 3) staffing levels within the Police Department, 4) unlicensed auto repair shops using the public street to conduct business that should be located off-street.

Gone On Arrivals

The Task Force identified that 52% of the time, when a Police Services Technician (PST) is dispatched to address a service request, the vehicle is already gone. This is a sign that the vehicle was not abandoned and was able to move on its own accord. Due to the backlog of requests and the average response time being so high, it is not surprising that an operable vehicle would already be gone when the PST responds, and this shows that the word “abandoned” may be inaccurate. The Task Force is exploring adding a feature to all service requests that requires or encourages the requestor to provide contact information so program staff can call and verify the vehicle is still there before they deploy—this could save significant hours and reduce the response time accordingly. However, there is concern that callers will not want to provide their contact information for fear of retaliation if they are calling about a neighbor’s vehicle. The group agreed to pilot optional messaging at the Call Center and with Oak311 to encourage people to leave contact information.

A second approach to reduce the OPD staff time spent on GOAs is to utilize OakDOT Parking Control Technicians (PCTs) that are already in the field to verify whether a vehicle is still in place before deploying PSTs. This approach will be piloted this fall and measured to determine the impact on response times. PCTs will be issued lists of Abandoned Auto requests organized by area and patrol during overtime hours so as not to interfere with or diminish OakDOT’s capacity to enforce parking regulations. Funding for the pilot would be provided by savings from OPD PST vacancies.

Neighbor-on-Neighbor Complaints

Many property owners feel they are entitled to park in front of their home and therefore become increasingly frustrated when someone else's car remains there for extended periods of time. The high percentage of GOAs that drive up service requests indicate that over half of all vehicles are operable and likely owned by a neighbor who simply has not moved the vehicle for a period of time. Whether this is due to them owning multiple unused vehicles or a lack of regular use of their only car, it is not a good use of City resources to tag, cite and ultimately tow such a vehicle. While true that it is illegal to store a vehicle for more than 72 hours (California Vehicle Code Sections 22850 and 22856 and Oakland Municipal Code Section 10.28.030), it is also true that anyone has a right to park on a public street, so homeowners are not entitled to the space in front of their home.

OakDOT has proposed a unique pilot to address this situation that could accelerate response times and provide the public with some valuable information at the same time. An assessment of every service request will be conducted to determine if a vehicle is parked within one or two blocks of the registered owner's address on file. If a vehicle is within that area, instead of tagging and then towing the vehicle, a courtesy notice will be sent to the owner explaining that a complaint was received and reminding them of the vehicle code requirement that the car be moved at least every 72 hours. Staff is also considering a courtesy notice to the addresses surrounding the vehicle to notify them that a notice has been sent to the owner and to encourage them to file a new request if the car remains in place. By putting the brakes on the deployment of PSTs to NONs, more staff time can be focused on truly abandoned vehicles that create blight and may be posing a safety concern.

Staffing levels within the Police Department

Currently there are only three PSTs assigned to this unit to respond to the average of 1,363 requests per month. Also, these same PSTs are often asked to participate in Encampment Management Team operations as a growing number of those involve vehicles. In any given week, the entire PST team can spend two out of five days assisting with encampment operations, leaving less time to address these service requests. Due to the policy directives to reduce the OPD footprint and budget, and the planned transition of these duties to OakDOT, there is no proposal currently to increase staffing of this unit. Instead, the focus is on having OakDOT begin to support the work through the pilots mentioned above. By having OakDOT partner with OPD this fall, the transition should be a smoother road and if additional staffing is needed, this could be considered as part of the mid-cycle budget process.

The amount of complaints received for abandoned vehicles annually (16,000), justifies the need for a full-time call taker in Oak311 to help support with intake and follow up. Call Takers on the average process 12,000 Service Requests per year based on industry standards. Abandoned Auto and 311 had a 6-month pilot where requests were temporarily processed by two Temporary Part Time Employees (TPTs) funded by an OPD grant from January 2020 thru June 30th, 2021. The grant funding ended but the need for 311 support is critical to this operation. Abandoned vehicles are the 2nd most reported problem in Oakland, Illegal dumping is number one at 37% of all requests.

Unlicensed Auto Repair/Storage/Sales

The Task Force is aware of complaints associated with persons using the street to repair, strip, store, or sell vehicles. This is harder to track in the system as the complaints could come through Oak311 or, if associated with an address, could be reported to the Planning and Building Department. When the Planning and Building Department receives a complaint, an inspector needs to gain evidence that associates the work in the street with the specific address, and this is difficult to do. Often there is little usable evidence and neighbors are afraid to complain publicly or take pictures for fear of retaliation. The Task Force is examining a couple of cases and investigating to see if a more effective strategy can be developed. This includes Municipal Code Enforcement Officers and Business Development Staff in hopes that the City could assist unlicensed mechanics to find suitable locations in an effort to promote entrepreneurial efforts with incentives coupled with an enforcement approach.

Once the Task Force has piloted the GOA and NON strategies introduced above, it will begin to look at “up-stream” interventions, including work with the Department of Motor Vehicles, which regulates auto dealer licenses and has an investigative branch, to examine the supply of vehicles being left on Oakland streets.

FISCAL IMPACT

This is an Informational Report and therefore has no direct fiscal impact.

PUBLIC OUTREACH / INTEREST

The Task Force was created due to this being the second biggest complaint received through Oak311, the Call Center, and to individual City Council Offices.

COORDINATION

The Task Force consists of the City Administrator’s Office, OPD, OakDOT, the Economic Workforce Development Department, Planning and Building Department, the City Attorney’s Office and City Council Staff.

SUSTAINABLE OPPORTUNITIES

Economic: Reducing the instance of abandoned vehicles will improve commercial corridors by increase access to parking, reducing safety concerns, and if the City is successful at identifying unlicensed businesses that wish to become compliant, it will increase the tax base.

Environmental: Reducing the instance of abandoned vehicles can address environmental concerns as abandoned vehicles represent a safety hazard that includes the release of toxics into the environment such as spilled motor oil that ends up entering the storm water system and releases to the bay.

Race & Equity: Neighborhoods with the largest number of abandoned vehicles are often the same neighborhoods that have the lowest equity scores in Oakland. The presence of vehicles on the street reduces property values, creates safety hazards that can discourage pedestrian activity as they block sidewalks, and can contribute to criminal activity at or near the vehicles that serve as magnets for crime.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Receive A Report On Abandoned Autos And Other Vehicles, The Number Of Monthly Complaints Via 311 And The City's Turn-Around Time For Responding To And Remediating The Complaints.

For questions regarding this report, please contact Joe DeVries, Director, Interdepartmental Operations, at 510-238-3083.

Respectfully submitted,



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Attachments (2): (Attachment A) Summary of Relevant Codes and Ordinances
(Attachment B) Cityworks Abandoned Auto Service Request Report

