



Councilmember Ben Bartlett  
City of Berkeley, District 3

ACTION CALENDAR

July 24, 2018

To: Honorable Mayor and Members of the City Council

From: Councilmembers Ben Bartlett, Cheryl Davila, and Kate Harrison

Subject: Direction to the City Manager Regarding the Community Service In Lieu of Parking Penalties Program

RECOMMENDATION:

Direct the City Manager to amend the eligibility requirements of the Community Service In Lieu of Parking Penalties Program in order to allow all indigent individuals to be eligible to participate in the program (regardless of the registration status of a potential participant's vehicle).

BACKGROUND:

Currently, the City of Berkeley allows select indigent individuals to provide community service in lieu of paying parking penalties. In order to qualify for this program, individuals must have a household income of less than \$35,700.00 annually for a household of one person. For households greater than one person, the household income may not exceed the level of the Housing and Urban Development threshold for the "Very Low" income limit category. Additionally, program participants must have their vehicle registered within the City of Berkeley.

The requirement that vehicles be registered within the City of Berkeley unduly burdens the most marginalized members of our Berkeley community. Firstly, indigent individuals may not be able to register their vehicles due to their financial status. Secondly, many of our lowest-wage Berkeley community members have been displaced from the City but still commute to Berkeley for professional and social reasons. It does not make sense to

exclude these community members from participating in our community service program.

The San Francisco Municipal Transportation Agency has already adopted a Community Service In Lieu of Parking Penalties Program that does not require participants to have a locally registered vehicle. We should join our neighboring City in adopting progressive policies concerning fines and fees, and refrain from criminalizing poverty.

FISCAL IMPACT:

Staff time.

ENVIRONMENTAL SUSTAINABILITY:

N/A

CONTACT PERSON:

Councilmember Ben Bartlett, District 3 (510) 981-7130

ATTACHMENTS:

1 - City of Berkeley Policy Concerning Community Service In Lieu of Parking Penalties

## COMMUNITY SERVICE IN LIEU OF PARKING PENALTIES

Effective July 2009

Due to budget constraints in the City of Berkeley, the Community Service program in lieu of paying for parking citations has been modified. The following requirements must be met in order to sign up for community service:

- The vehicle must be registered in the City of Berkeley
- The registered owner must certify as household low income (less than \$ 35,700.00 annually) by providing tax return or IRS certification.
- The registered owner must sign up within the original bail period. If the citation has moved to delinquent or lien status, Community Service is not an option.
- A maximum of five (5) citations can be satisfied via Community Service in a fiscal year (July 1 - June 30)

Follow these steps to apply for Community Service:

1. Apply for Community Service referral at the Customer Service Center, located at 1947 Center Street, Berkeley, CA, between the hours of 9:00 am and 4:30 pm, Monday through Friday, except closed on the 4<sup>th</sup> Friday of each month.
2. Once you have received your referral application, take the application to **Berkeley Community Service Workers** located at 661 Washington St., Dept 201 in Oakland for assignment.
3. BCSW will approve your referral and assign you to your work program.
4. Begin Community Service work as agreed.
5. Turn in your time sheet to BCSW 1 week prior to your progress report date or you may not receive credit for your hours.
6. BCSW will notify the Customer Service Center of your completion. For questions regarding your Community Service, please call BCSW at 510-627-4701.
7. City of Berkeley will send you confirmation of your Community Service and disposition of your parking citations.

### FREQUENTLY ASKED QUESTIONS

**Q. What is Community Services?**

A. It is a work program designed to assist individuals who are unable to pay their parking citations due to financial situation.

**Q. Where must the Community Service be performed?**

A. Since the citations were issued in Berkeley, the Community Services must be performed in Berkeley.

**Q. Can the driver at the time of the citation perform the Community Service?**

A. Only the registered owner can perform the Community Service.

**Q. Can I contest the citation after signing up Community Service?**

A. No. Once you have signed the Community Service contract, you have waived your right to contest the citation.

**Q. Is there a deadline for turning in the Community Service time sheet?**

A. Yes, as noted on your contract, the time sheet must be turned in 1 week prior to the progress report date or your hours may not qualify.

**Q. If I fail the initial contract, may I sign up again for the same citations?**

A. No. Once a contract is failed, the citations must be paid.

**Q. Can I sign up for more than one contract at a time?**

A. No. Only one contract per registered vehicle can open at a time.

**Q. Are there any citations excluded from Community Service?**

A. Yes, citations for unauthorized parking in a disabled zone are excluded.

**Q. What is the hourly rate credited towards the citation amount?**

A. You are credited at the rate of \$8.00 per hour so a \$35.00 citation would require 4.5 hours of community service to clear the amount due.

**Q. What are the costs associated with the Community Service program?**

A. Berkeley Community Service Workers charges an administrative fee to manage the program based on the number of hours required in your contract:

1-25 hours = \$20.00

26-50 hours = \$40.00

51-75 hours = \$60.00

76-100 hours = \$80.00