

RESOLUTION NO. 09-R-12714

RESOLUTION OF THE COUNCIL OF THE CITY OF
BEVERLY HILLS APPROVING THE CREATION OF A
PARKING TICKET FORGIVENESS PROGRAM FOR
INDIVIDUALS WHO ARE HOMELESS, FORMERLY
HOMELESS, OR AT-RISK OF HOMELESSNESS

The City Council of the City of Beverly Hills does resolve as follows:

Section 1. Parking citations often pose a barrier to stability and self-sufficiency for individuals and families who are homeless, formerly homeless, or at-risk of homelessness. Many of these individuals live paycheck-to-paycheck, and thus parking citations can result in an impounded car that can then result in loss of work and a reduction in income. Those who have already lost their homes and live in their cars are frequently subjected to parking citations, which they often cannot pay, resulting in impoundment. Unable to retrieve their cars, they may lose all of their possessions and their last form of shelter. The City Council of the City of Beverly Hills (the "City") is aware of this critical problem and is concerned about individuals and families who are homeless, formerly homeless, or at-risk of homelessness.

Section 2. Public Counsel, the public interest law office of the Los Angeles County and Beverly Hills Bar Associations, has requested the City's support for building on the currently-existing Los Angeles County Homeless Court Program, which serves individuals and families who are homeless, formerly homeless, or at-risk of homelessness by resolving minor traffic and "quality of life" offenses to assist in stability and self-sufficiency. Public Counsel has requested that the City implement a forgiveness program for its parking citations.

Section 3. The City's Municipal Code Section 7-5-119 authorizes the City Council to adopt by resolution a parking ticket forgiveness program for individuals who are homeless, formerly homeless, or at-risk of homelessness. The City Council now adopts this Resolution pursuant to that authority.

Section 4. To qualify for the program, the applicant must meet four (4) criteria:

1) He or she has committed to ninety (90) days in a skills-building program through a recognized provider, e.g. PATH, Union Rescue Mission, Midnight Mission, the Weingart Center, Ocean Park Community Center, Step Up on Second, with proof from a case manager of meaningful progress towards rehabilitative goals, including drug and alcohol rehabilitation, mental health services, and/or education and employment training;

2) He or she has not received any new quality of life citations (exempting parking tickets) in the past six (6) months, demonstrating a commitment to achieving self-sufficiency and living within the letter of the law;

3) He or she has no unresolved felony warrants; and

4) He or she has not participated in the forgiveness program in the past as it is a once in a lifetime opportunity.

Section 5. If the applicant meets all four (4) aforementioned criteria, he or she may apply for the City's Parking Tickets Forgiveness Program through his or her recognized provider. The recognized provider will screen such applicants carefully and refer applications to the Los Angeles County Homeless Court Program, which will determine eligibility. The Los Angeles County Homeless Court Program will then transfer any eligible application to the City's Transportation Official ("Official") or designee, who hereby has the authority to waive all of the eligible applicant's parking citations issued by the City.

Section 6. The City's Municipal Code Sections 7-3-115 and 7-5-114 state that parking permits issued by the City shall not be issued to any applicant unless all outstanding parking penalties and other related fees are paid in full. If an applicant qualifies for the City's Parking Tickets Forgiveness Program and the Official or designee thereby waives all of the eligible applicant's parking citations issued by the City, the parking penalties and other related fees shall be considered paid in full for the purposes of Sections 7-3-115 and 7-5-114. Thus, parking permits may be issued to such individuals in conformity with the Municipal Code.

Section 7. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Council of this City.

Adopted: December 1, 2009

By: Nancy Krasne
NANCY KRASNE
Mayor of the City of
Beverly Hills, California

ATTEST:

Byron Pope (SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:

Laurence S. Wiener
LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

David D. Gustavson
DAVID D. GUSTAVSON
Director of Public Works & Transportation