

### February 15, 2022



BRENDA OLMOS Mayor



VILMA CUELLAR STALLINGS Vice Mayor



ISABEL AGUAYO

Councilmember



LAURIE GUILLEN
Councilmember



PEGGY LEMONS
Councilmember

Call to Order



### February 15, 2022



BRENDA OLMOS Mayor



VILMA CUELLAR STALLINGS Vice Mayor



ISABEL AGUAYO

Councilmember



LAURIE GUILLEN
Councilmember



PEGGY LEMONS
Councilmember

**Roll Call of Councilmembers** 



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City Council Public Comment Updates



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Councilmember

**Public Comments** 



### February 15, 2022



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Consent Calendar





### Background

- In early 2020, the City Council directed the City Attorney's office to bring back regulations to combat the increase in dangerous street racing and intersection takeovers in the City.
- In September 2020, the City Council adopted 2 comprehensive regulatory Ordinances; Ordinance No. 1134 (Establishing the Civil Forfeiture of Nuisance Vehicles Engaged in Motor Vehicle Speed Contests or Exhibitions of Speed), and Ordinance No. 1135 (Prohibiting Spectators at Speed Contests).





### Ordinance No. 1134 – Key Provisions

- Seizure and impound of vehicle in violation of Vehicle Code Sections 23109(a) –
  Street Racing or Vehicle Code Section 23109(c) Exhibition of Speed (Probable Cause)
- Immediate Investigation by City's Public Safety Department (1) Identity of Registered Owner and (Any lienholder)
- Review and examination of Incident Report by City Attorney and Deputy District Attorney to determine if Administrative Hearing will be scheduled
- Notice to Registered Owner and Lienholder of post-seizure administrative hearing Expedited Due Process requirements
- Post seizure hearing held Decision by Independent Hearing Officer





### Ordinance No. 1134 – Key Provisions

- Notice of Administrative Hearing Officer Decision mailed to Registered Owner and Lien Holder (if applicable)
- City Attorney prepares (1) Notice of Intended Forfeiture of Vehicle, and, either (1) files petition for civil forfeiture with Superior Court, or (2) enters into Stipulated Judgment Agreement with the Registered Owner and or, Lienholder.





### Ordinance No. 1135 – Key Provisions

- Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, where preparations are being made for an illegal motor vehicle speed contest or exhibition of speed is guilty of a misdemeanor; however, a court may determine that the offense is an infraction in which the case shall proceed as if the defendant has been arraigned on an infraction complaint.
- Local law enforcement shall also have the authority to cite any spectator in violation of this Article with an administrative citation.
- An individual is present at the illegal motor vehicle speed contest or exhibition of speed if that individual is within five hundred (500) feet of the location of the event, or within five hundred (500) feet of the location where preparations are being made for the event.



## Implementation of Street Racing Enforcement Program

- Successful Enforcement Program requires coordination with all available City resources and agencies.
  - Los Angeles County Sheriff's Department
  - CHP
  - City of Paramount Public Safety Department
  - City of Paramount Public Works Department
  - District Attorney
  - City Attorney



## Street Racing Enforcement Program Overview January 2021 Through January 2022



# Presented by Paramount Sheriff's Substation Lieutenant Camacho





### **Street Racing Statistics**

- Total Calls for Service: 465
- Total Arrests: 106
- Citations Regarding Street Racing:
  - 272 Notice to Appear Citations "Speeding, Modified Exhaust, etc."
  - 54 Notice to Appear Spectator Citations
  - 19 Administrative Citations for Paramount Spectator Violations
- Vehicles Impounded:
  - 86 with a 30-day hold
  - 6 vehicles were stored with a 30-day hold
  - 63 were released after 30 days or more







### Street Racing Related Vandalism Cases

- Felony/Misdemeanors Vandalism Cases were filed where deputies witnessed vehicles performing burnouts and/or donuts on City streets causing damage, such as tire markings.
- Cases had to have direct observations by a Deputy along with photographic evidence and cost estimate for the damage.





### Street Racing Related Vandalism Cases (Cont'd)

Vandalism Criminal Cases: Nine



- Restitution to the City of Paramount Ordered by the Courts:
  - \*Between \$1,000.00 and \$3,100.00



- Other Criminal Penalties/Probation Conditions:
  - 8-Hour Traffic School
  - Driving Restrictions
  - Community Service





### Street Racing Related Vandalism Cases (Cont'd)

#### Cities of Residence for Drivers:

- Of the nine cases, two were Paramount Residents
- Other Drivers were from:
  - Anaheim
  - Compton
  - Inglewood
  - La Puente
  - Torrance
  - Long Beach
  - Whittier



### Street Racing Related Vandalism Cases (Cont'd)

Average Age of Drivers: 26.4 Years Old

- Youngest: 20

- Oldest: 36

Cars Impounded in Vandalism Cases:

- 2006 BMW 325i

2007 Nissan Altima

2007 Toyota Tundra

2009 Honda Civic

2023 Dodge Challenger

2017 Chevrolet 300

- 2017 Hyundai Sonata

2018 Ford Mustang

2018 Chevrolet Camaro





### Street Racing Enforcement Program Overview January 2021 Through January 2022



# Presented by CHP Officer Andrew Swank CHP Street Racing Enforcement Unit

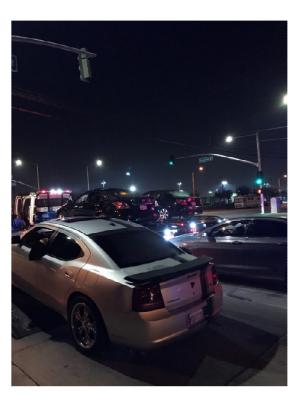




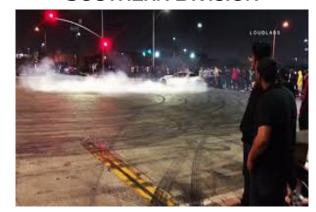


## CHP STREET RACING ENFORCEMENT UNIT 2022

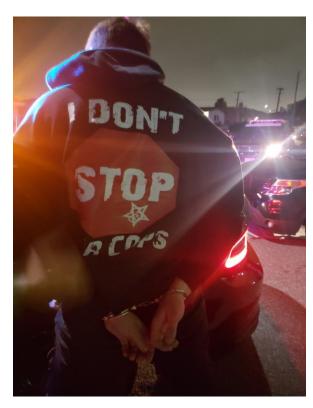




CALIFORNIA HIGHWAY PATROL SOUTHERN DIVISION



SREU LIEUTENANT J. ZAGORSKI SREU SERGEANT P. DE PRATER SREU OFFICER A. SWANK SREU OFFICER N. HUGHES





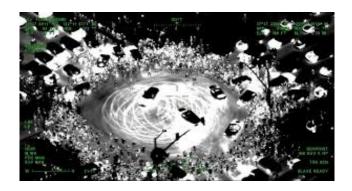
### HISTORY OF SIDESHOWS



- A "Sideshow" / "Takeover" is an illegal gathering of people and vehicles with the intent to block a particular intersection or roadway. The purpose of blocking the roadway is to allow vehicles within the center of the blocked roadway to perform stunts, burnouts, and "doughnuts."
- "Swinger" is the vehicle actually performing stunts, burnouts, and "donuts."
- "Spectator" any person at the sideshow.
- Sideshows have been around for many years.
- Sideshows have grown with popularity within the last few years.
- More and more areas throughout the state are being impacted by illegal sideshows.









# CHP STREET RACING ENFORCEMENT UNIT



Statistics from October 2021 to February 2022 (14 operations)

- 481 traffic citations have been issued.
- 141 arrests made for street racing and or takeover/sideshow activity.
- 102 vehicles impounded for street racing and or takeover/sideshow activity.
- 21 vehicles impounded for 30 days per vehicle seizure warrants.



# CHP STREET RACING ENFORCEMENT UNIT



### 03/12/2021 SREU operation

- Takeover at Jackson Street and Garfield Avenue in the City of Paramount.
- CHP Fixed-wing Aircraft observed white Chevrolet Camaro driving recklessly (Video 3:50).
- Enforcement stop was made on Camaro and driver was arrested.
- Worked with City Attorney John Cavanaugh and Deputy District Attorney Kelly Tatman on arrest report, aircraft video, supplemental, and gathering the driver's prior reckless driving arrest report.
- City Attorney Cavanaugh presented arrest case for asset forfeiture.

## Street Racing Enforcement Program Review January 2021 Through January 2022



# Presented by Deputy District Attorney Kelly Tatman





### Street Racing Administrative Hearings

- Paramount Municipal Ordinance 10.48.050 provides that when a vehicle is impounded for street racing, a post seizure hearing (Administrative Hearing) is the first step in a forfeiture proceeding.
- Forfeitures and Post Seizure Hearings are for violations of Vehicle Code Section 23109

   (a) and (c):
- (a) A person shall not engage in a motor vehicle speed contest on a highway. As used in this section, a motor vehicle speed contest includes a motor vehicle race against another vehicle, a clock, or other timing device. For purposes of this section, an event in which the time to cover a prescribed route of more than 20 miles is measured, but in which the vehicle does not exceed the speed limits, is not a speed contest.
- (c) A person shall not engage in a motor vehicle exhibition of speed on a highway, and a person shall not aid or abet in a motor vehicle exhibition of speed on any highway.



### Process and Procedure for Administrative Hearings

- Car Impounded/Deputy Authors Report
- Review of Arrest Report by DDA Tatman
- Criteria for Forfeiture Satisfied
- City Attorney and Deputy District Attorney consider approval of an Administrative Hearing
- Public Safety Director Notified to Schedule Post Seizure Hearing
- Public Safety Director Notifies REGISTERED OWNER/LIEN HOLDER of Hearing via Certified Mail
- Time Limitations:
  - Hearing within a reasonable time thereafter in order to satisfy due process



### Process and Procedure for Administrative Hearings (Cont'd)

#### HEARING OFFICER DECISIONS

- If the Hearing Officer determines there was probable cause to impound the vehicle, the vehicle remains in impound until:
  - (1) The conclusion of the thirty days
  - (2) If the City Attorney decides to move forward with a forfeiture, the City Attorney will notify Registered Owner and/or Lien Holder and vehicle will remain impounded until the conclusion of forfeiture proceedings.
- If Hearing Officer determines there was Probable Cause to impound, but one of the criteria of VC 23109.2 was met, the vehicle can be released prior to the end of the thirty days.



### Process and Procedure for Administrative Hearings (Cont'd)

What is Vehicle Code Section 23109.2?

...an impounding agency shall release a motor vehicle to the registered owner or his or her agent **prior** to the conclusion of the impoundment period under *any* of the following circumstances:

- (A) If the vehicle is a stolen vehicle.
- (B) If the person alleged to have been engaged in the motor vehicle speed contest was not authorized by the registered owner of the motor vehicle to operate the motor vehicle at the time of the commission of the offense.
- (C) If the registered owner of the vehicle was neither the driver nor a passenger of the vehicle at the time of the alleged violation or was unaware that the driver was using the vehicle to engage in any of the activities described in subdivision (a).
- (D) If the legal owner or registered owner of the vehicle is a rental car agency.
- (E) If, prior to the conclusion of the impoundment period, a citation or notice is dismissed under Section 40500, criminal charges are not filed by the district attorney because of a lack of evidence, or the charges are otherwise dismissed by the court.



### Process and Procedure for Administrative Hearings (Cont'd)

- What is Decided at an Administrative Hearing and Who Attends?
- This Hearing is only to determine:
  - (a) whether there was probable cause to impound the vehicle, and
  - (b) whether there are other circumstances under CVC 23109.2 that would call for the early release of the vehicle.
- Independent third party conducts the hearing and makes the determination.
- Attended by:
  - Registered Owner/Lien HolderDDA Tatman
    - Report Deputy Hearing Officer



- Number of Administrative Hearings: 18
- Decisions in Favor of the City of Paramount: 16
- Decisions in Favor of R/O and/or Lienholder: 1 (VC 23109.2 criteria met)
- Vehicle Released Prior to Hearing: 1\*
- 94% Success Rate





Types of Vehicles Impounded for Street Racing and Subject to Post Seizure Hearing:

2021 Ford Mustang

2020 Nissan 370z

2019 Chevrolet Camaro

2019 Dodge Ram

2018 Chevrolet Silverado

2018 Dodge Challenger

2018 Infiniti Q50

2017 Cadillac ATS

2011 Chevrolet Camaro

2007 Toyota Tundra

2007 Infiniti G35

2004 Infiniti G35

2003 GMC Sierra

2001 Lexus

1998 Acura Integra

1996 Lexus LS 400

Father/Registered Owner

Driver/Registered Owner

Driver/Registered Owner

Mother/Registered Owner

Father/Registered Owner

Mother/Registered Owner

Driver/Registered Owner

**Uncle/Registered Owner** 

Driver/Registered Owner

Driver/Registered Owner

Father/Registered Owner

Driver/Registered Owner

**Driver/Registered Owner** 

Driver/Registered Owner

Mother/Registered Owner

**Driver/Registered Owner** 







- Average Age of Driver of Impounded Vehicles: 21 years old
  - Youngest: 18 yrs. old
  - Oldest: 31 yrs. Old
- Driver's City of Residence:
  - Winnetka, Huntington Park, Compton, Fullerton, Los Angeles, Cudahy, Long Beach, Bellflower, La Puente (2), Hawaiian Gardens
  - \*Only three drivers from Paramount



Locations where vehicles were seized:

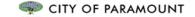
- Alondra and Lakewood
- Jackson and Orange
- Orange and Rosecrans
- Paramount and Somerset (2)
- Exeter and Garfield
- Jefferson and Vermont
- Alondra and Garfield
- Jefferson and Paramount
- De Bie Drive
- Garfield and Jackson
- Colorado and Paramount
- California and Jefferson
- Paramount and Rosecrans
- LA Riverbed and Somerset



## Street Racing Review January 2021 Through January 2022



Presented by
City Attorney
John Cavanaugh, Esq.



### Vehicle Forfeiture/Stipulated Judgment Agreement

- After a decision is made by an Administrative Hearing Officer determining there
  is probable cause that the vehicle impounded violated both state law and
  Ordinance No. 1134, the City Attorney's office mails the Notice of Intended
  Forfeiture of the Vehicle to the Registered Owner and/or the Lienholder
- Under Ordinance No. 1134, the Registered Owner/or Lienholder will have the opportunity to (1) object in writing of the proposed civil forfeiture, or (2) voluntarily enter into a Stipulated Judgment Agreement wherein certain conditions must be met prior to release of the vehicle



## Vehicle Forfeiture/Stipulated Judgment Agreement (Cont'd)

- Stipulated Judgment Agreement City agrees to release vehicle to Registered Owner or Lienholder with following conditions:
  - Payment of Public Safety Release fees \$150.00
  - Payment of all vehicle impound fees TBD at time of release of vehicle at impound yard (\$1,400 to \$2,400)
  - Payment of Legal fees
  - Payment for damage to street or intersection (NEW) \$1,100 to \$3,100
  - Stipulated Judgment Agreement in effect for 5 years Any future violation results in immediate forfeiture of vehicle to the City of Paramount.



### Stipulated Judgment Agreement Statistics

Vehicles Where Registered Owner and/or Lienholder Signed Stipulated Judgment Agreements:\*

2019 Dodge Ram 1500	Lienholder
2007 Toyota Tundra	Driver/Registered Owner
2004 Infiniti G35	Driver/Registered Owner
2018 Infiniti Q50	Driver/Registered Owner/Lienholder
2019 Chevrolet Camaro	Driver/Registered Owner/Lienholder
2001 Lexus IS300	Driver/Registered Owner
2011 Chevrolet Camaro	Driver/Registered Owner
1996 Lexus LS 400	Driver/Registered Owner

<sup>\*</sup>Currently 4+ more Registered Owners/Lienholders subject to Notices of Forfeiture upon decision of Administrative Hearing Officer



## Stipulated Judgment Agreement Statistics

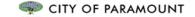
To date, there are <u>NO repeat offenders</u> on those vehicles/drivers who entered into Stipulated Judgment Agreements



# Street Racing Review January 2021 Through January 2022



# Presented by City Engineer Rafael Casillas, PE





#### Roadway Design Must Follow Engineering Standards:

- FHWA Federal Highway Administration
- SHC Streets and Highways Code
- AASHTO American Association of State Highway Transportation Officials
- CaMUTCD California Manual for Uniform Traffic Control Devices
- ITE Institute of Transportation Engineers

#### **Arterial Streets**

#### Design Challenges:

- Flow of Traffic
- Eliminating Traffic Hazards
- Safety for All Users



#### STREET WIDTH REDUCTION





• Bulb-Out (Corner Extension)



#### Pros:

- Reduces Speeds
- Reduces Crosswalk
   Distance



#### Cons:

- Increase Traffic Congestion
- Reduction in Parking
- Prevents Right Turn Movements



Raised Pavement Markers (RPMs) – aka Botts Dots

Do not stop vehicles from performing "street takeovers"

#### Roadway Hazards

- Potholes
- Raised obstacles (Plywood)
- Loose debris (Gravel, Glass)

#### Sight Distance Standards

- Hazards
- Reaction Time
- Avoidance Maneuver
- Stopping Distance



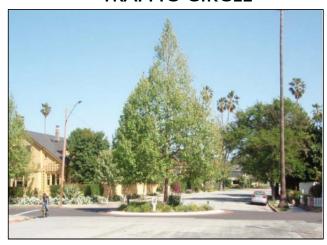
### **Alternatives for Non- Arterial Streets**



**MEDIAN** 



TRAFFIC CIRCLE



**BULBOUT** 





SPEED HUMP



**DIVERTER** 



**FULL CLOSURE** 



#### TRAFFIC CIRCLE



#### **PROS**

- Reduce Speed through intersection
- Reduce Broadside Collision
- Can be landscaped
- Can Accommodate Emergency Vehicle



#### **CONS**

- Maintenance Cost if Landscaped
- Learning Curve when First Installed
- Without Median there is potential of Head-On Collision



#### **VERTICAL DEFLECTION**









#### **PROS**

- Reduce Speed
- Deter through traffic
- One of the least expensive traffic calming measure

#### CONS

- Traffic may be diverted to other residential streets
- Compromise response time for emergency vehicles (EXCEPT SPEED CUSHION)
- Potential property damage





## LONG BEACH ACCIDENT WHERE VEHICLE HITS ROUND-ABOUT (Next Slide)

#### Mini-Traffic Circle

- Requires vehicles to reduce speed
- Loss of Parking

#### **Bulb outs**

- Improves Pedestrian Sight Distance
- Narrows roadway
- Loss of parking









#### Pros

- Reduce speed
- Self-enforcing
- Can be landscaped
- Can accommodate emergency vehicles

#### Cons

• Loss of parking

## Available Measures in the Traffic Calming Box



- Vermont Avenue Between Alondra Blvd and Jackson Street
- COMING SOON: Orange Avenue – north of Rosecrans Avenue

ITEM NO.3

CITY OF PARAMOUNT

#### What is Next...

- CONTINUE TO IMPROVE REPORT WRITING and TRAIN DEPUTIES
- Continue to educate the public of Paramount's Ordinances and consequences of Street Racing in the City of Paramount
- Continue to educate the public on street racing dangerousness and encourage residents and businesses to notify law enforcement and Public Safety with information that will assist in street racing enforcement



## What is Next...(cont'd)

- Bring back to the City Council some amendments to Ordinance Nos. 1134 and 1135
- Continue to work with financial lienholders to include language in finance agreements that a violation of any state or local street racing/exhibition of speed results in automatic forfeiture of the vehicle to the lienholder.
- Continue to work with Public Works on possible mitigation measures.







#### Request

- Acquisition of 16247 Vermont Avenue
- Council directed staff to pursue purchase of property in a closed session on June 8, 2021
- 11,250 square foot property vacant since 2009
- Site to be purchased with American Rescue Plan Act funds
- Purchase price \$618,805
  - Appraised value \$620,000





#### Request

- Site to be used for public water infrastructure
  - Municipal well
  - Water treatment facility
  - Above ground reservoir
- Water infrastructure study to be prepared to determine best use
- Phase 1 environmental assessment completed
  - No issues found

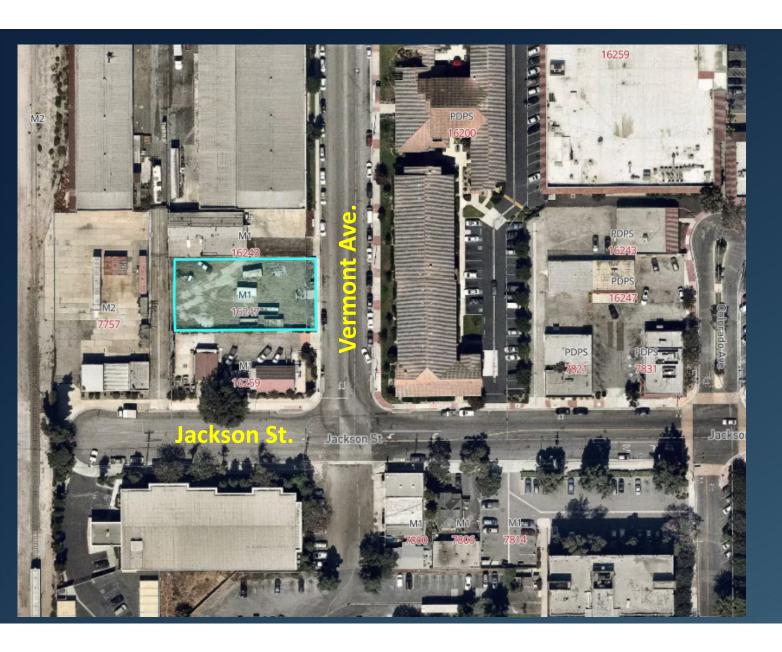




#### Request

- Acquisition of site will meet a number of goals in the General Plan:
  - Provision of water services to meet the needs of the community
  - Implementation of the Water Master Plan
  - Maintenance of water quality
- As required by California Government Code, Planning Commission found the acquisition of the property to be in conformity with the General Plan













## Recommendation

Adopt Resolution No. 22:013









### The Midyear Budget Process:



- To analyze the City's financial status at the midyear mark.
  - Economic condition
  - Revenue projection
  - City's spending status
- To fine-tune our financial projections









### Our Objectives

- Balanced Budget
- Conservative approach status quo while keeping all essential services
- Find new Federal, State, Local resources while preserving the General Fund Money





# Financial Review 3 Major Fund Types



- General Fund (Non-restricted)
- Special Revenue Funds (Restricted)







#### **General Fund**

	FY 2022	FY 2022	
	Adopted	Midyear	Variance
General Fund	Budget	Budget	Variance
Revenues	33,152,750	36,922,950	3,770,200
Expenditures	30,573,550	31,762,150	1,188,600
Capital Projects	2,578,100	5,050,800	2,472,700
Total Expenditures	33,151,650	36,812,950	3,661,300
Surplus/(Deficit)	1,100	110,000	108,900



#### **Restricted Funds**

	FY 2022	FY 2022	
	Adopted	Midyear	
	Budget	Budget	Variance
Restricted Funds	-		
Revenues	21,560,950	24,010,950	2,450,000
Expenditures	8,881,100	9,752,200	871,100
Capital Projects	16,731,750	17,522,550	790,800
Total Expenditures	25,612,850	27,274,750	1,661,900
Surplus/(Deficit)	(4,051,900)	(3,263,800)	788,100
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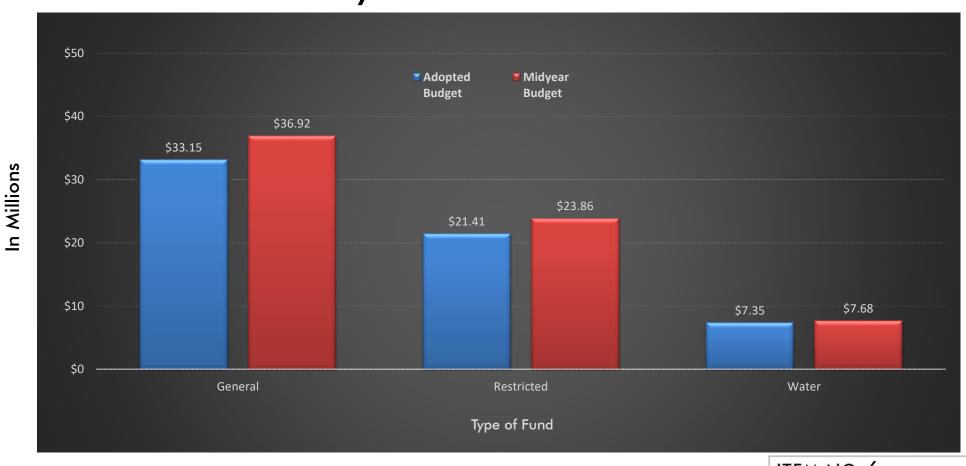


### Water Fund

	FY 2022	FY 2022	
	Adopted	Midyear	
	<b>Budget</b>	<b>Budget</b>	Variance
Water Fund			
Revenues	7,349,000	7,677,000	328,000
Other Sources (eg IBank Loan)	2,090,000	3,359,200	1,269,200
Other Adjustments (Depr/PrinPmt)	1,317,700	1,317,700	-
Total	10,756,700	12,353,900	1,597,200
Expenses	11,151,850	11,823,400	671,550
Capital Projects	2,690,000	3,549,200	859,200
Total Expenditures	13,841,850	15,372,600	1,530,750
_			
Surplus/(Deficit)	(3,085,150)	(3,018,700)	66,450

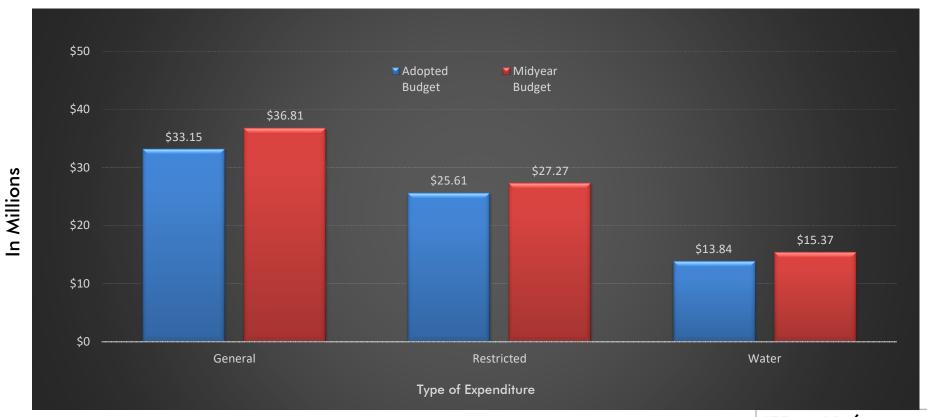


## FY 2022 Midyear Revenue Status Review





# FY 2022 Midyear Expenditure Status Review



\*Does not include depreciation and transfer of properties





# Midyear Budget Review Fiscal Year 2022

**Budget Highlights** 

**Human Resources** 

ITEM NO.<u>6</u>







 Increase in Cost of Living Adjustment (4% COLA) -\$139,450



 Restructuring of PT Salary Table – No increase in midyear budget – \$30,000 included in Adopted Budget

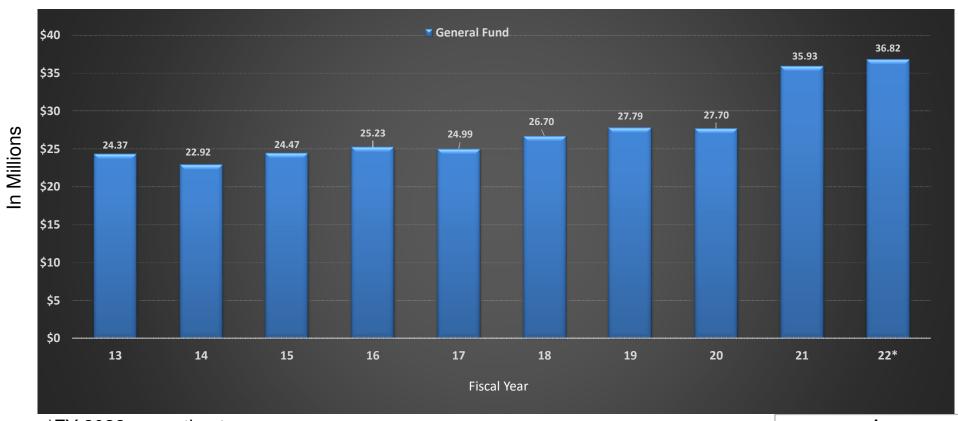


Increase in discretionary Bilingual Pay – \$26,500

 Increase in discretionary Cell Phone Reimbursement -\$13,750



## History of General Fund Revenues



\*FY 2022 are estimates ITEM NO.6

CITY OF PARAMOUNT

### Breakdown of General Fund Revenues



\*FY 2022 are estimates.

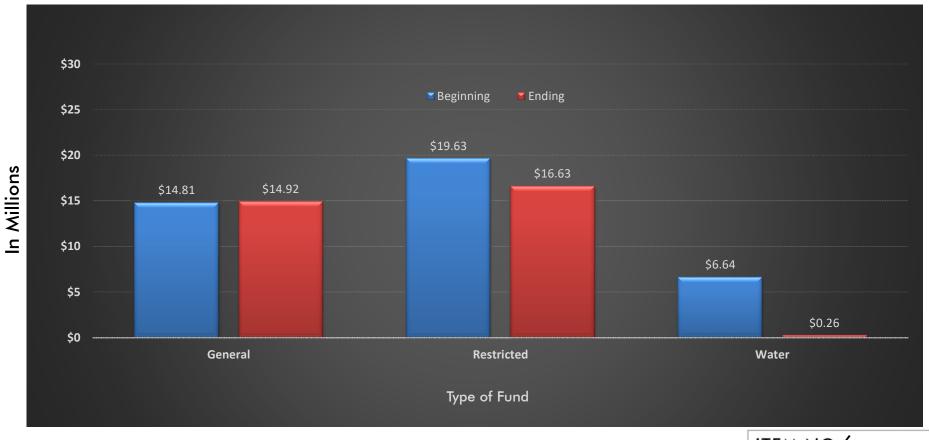


## Midyear Budget – Fund Balance Fiscal Year 2022

FY 2021/22 Midyear Budget	General Fund*	Restricted Funds	Water Fund	Total All Funds
Beginning Fund Balance* (Audited – 7/1/21) *Unassigned portion	\$14,809,500	\$19,634,350	\$3,282,050	\$37,725,900
Revenues:				
Revenue	\$36,922,950	\$23,860,950	\$7,677,000	\$68,460,900
Other Sources	-	\$150,000	\$4,676,900	\$4,826,900
Total Revenues	\$36,922,950	\$24,010,950	\$12,353,900	\$73,287,800
Expenditures:				
Operations	\$31,762,150	\$9,752,200	\$11,823,400	\$53,337,750
CIPs	5,050,800	17,522,550	3,549,200	\$26,122,550
Total Expenditures	\$36,812,950	\$27,274,750	\$15,372,600	\$79,460,300
Current Year's Surplus/(Deficit)	<u>\$110,000</u>	(\$3,263,800)	(\$3,018,700)	(\$6,172,500)
Estimated Ending Fund – 6/30/22	<u>\$14,919,500</u>	<u>\$16,370,550</u>	<u>\$263,350</u>	<u>\$31,553,400</u>



## FY 2022 Ending Balance Review



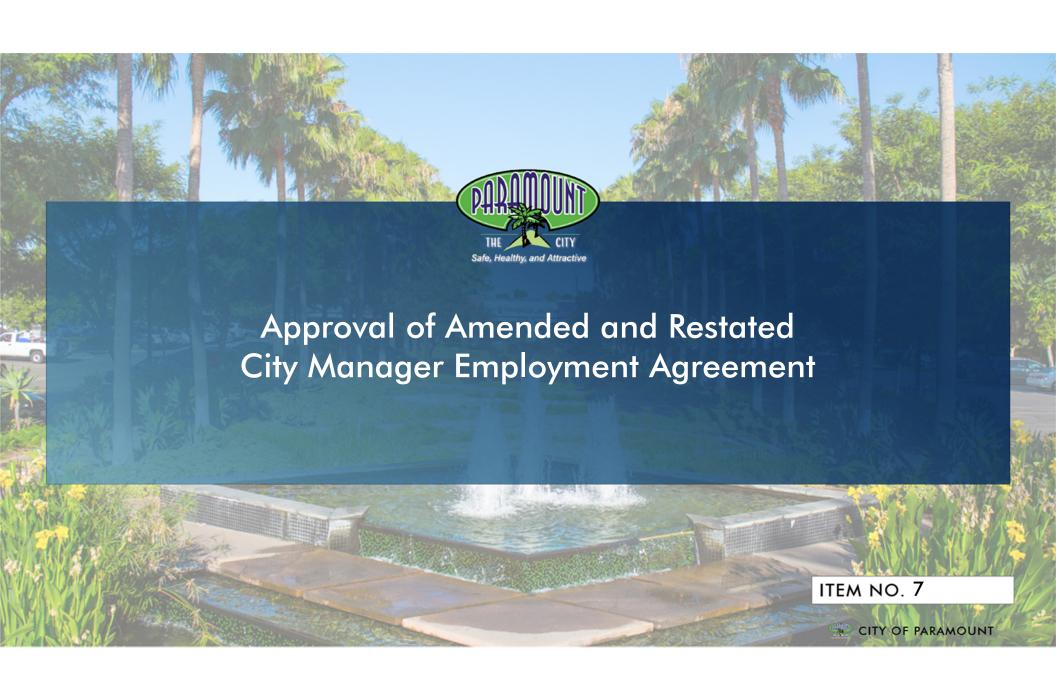
ITEM NO.6

CITY OF PARAMOUNT

### Recommendation

It is recommended that the City Council read by title only and adopt Resolution 22:009 – approving the FY 2022 Midyear Budget.







## CITY COUNCIL MEETING

#### February 15, 2022



BRENDA OLMOS Mayor



VILMA CUELLAR STALLINGS Vice Mayor



ISABEL AGUAYO

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**Comments/Committee Reports** 



## CITY COUNCIL MEETING

#### February 15, 2022



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**Closed Session** 



# CITY COUNCIL MEETING

#### February 15, 2022



BRENDA OLMOS Mayor



VILMA CUELLAR STALLINGS Vice Mayor



ISABEL AGUAYO

Councilmember



Councilmember



PEGGY LEMONS
Councilmember

Adjournment