



Memorandum

To: Mayor and City Council

May 10, 2011

From: Robert Garcia, First District
Suja Lowenthal, Second District

Subject: Downtown Pilot Newsrack Program and Citywide Enforcement

REQUESTED ACTION:

Request the City Manager work with the City Attorney to bring forward changes to the existing Downtown Pilot Newsrack Program and related municipal codes in the following manner:

- Expand the pilot program to that area bounded by Ocean Blvd, Pacific Avenue, 10th Street and Long Beach Blvd, as well as that area bounded by Long Beach Boulevard, 4th Street, Alamitos Avenue and Ocean Boulevard.
- Include both sides of streets in the pilot area
- Pilot program newsracks should be redefined as single-base racks similar to the K-Jack 100 model. Newsracks may not be bolted or otherwise affixed to the sidewalk.
- All plastic newsracks are prohibited.

Request the City Attorney draft language that amends existing municipal code (Sections 14.20.050 & 14.20.060)

- Require newsrack vendors in the City of Long Beach to maintain updated contact and electronic mail information with the Director of Public Works.
- Enable the use of electronic mail for notification of violations to the newsrack vendor.
- Extend the period for rectifying a violation following notice from three to five business days to codify existing business-friendly practices by City staff.
- Enable immediate notification and removal of newsracks by the City Manager or his/her designee from the public space when they are found in such a condition as to present a hazard to public safety.

BACKGROUND INFORMATION:

The current Downtown pilot program was established in May 2004, following Council study of a similar program on Second Street in Belmont Shore [see attached]. The goal of reducing visual clutter and improving the appearance of newsracks in the most heavily used pedestrian corridors of Downtown remains as relevant today as in 2004.

As part of the original program, newsrack vendors within the pilot area were required to use duplex and triplex-shared bases. However, over the last seven years it has become clear that the shared bases are not working as intended and actually hinder the removal of vacant, unsafe or noncompliant racks in a timely manner.

Well functioning and properly located newsracks offer a vital service to residents, businesses and visitors alike. However, broken, vacant or inoperable racks are a source of consternation for these same constituents. Considering the amount of staff resources required to monitor newsracks in the Downtown and citywide, it is recommended that we utilize more expedient methods for communicating violations and removing safety hazards. The requested actions are the result of conversations with and observations from my staff, as well as Public Works and Downtown Long Beach Associates staff.

FISCAL IMPACT:

Original estimates of staff time for code enforcement activities related to the Downtown Newsrack Pilot Program were 10 hours per month. Serving notice to newsvendors by electronic communication instead of mailed letter notifications should result in a reduction of approximately 20% in staff enforcement hours. In addition, proposed changes to the municipal code for newsracks citywide are expected to streamline a labor-intensive process for removal of racks, thereby achieving additional savings.