



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: JANUARY 22, 2019

DEPARTMENT: COMMUNITY DEVELOPMENT

FROM: MEGAN HUNTER, COMMUNITY DEVELOPMENT DIRECTOR

BY: JESSICA NG, ADMINISTRATIVE ANALYST

THROUGH: LORENZO SANCHEZ, CODE ENFORCEMENT MANAGER

TITLE: 2018 CODE ENFORCEMENT ADMINISTRATIVE REPORT

RECOMMENDED MOTION:

No action is required. This Report presents information to the City Council regarding the efforts of the City's Code Enforcement Division during calendar year 2018.

RECOMMENDATION:

No recommendation is provided since this Report is presented for informational purposes only.

BACKGROUND:

The Code Enforcement Division plays a vital role in addressing visual blight and in addressing issues of health and safety and property maintenance at both residential and commercial properties throughout the City. In late 2015, a Kaizen event was held to evaluate the Code Enforcement program which led to the successful implementation of a more streamlined process and improved responsiveness. Since the Kaizen event, Code Enforcement has continued to practice the philosophy of continuous improvement and continues to make small changes to our procedures over time with the goal of greater efficiency and improved service to the residents of Salinas.

DISCUSSION:

Staffing

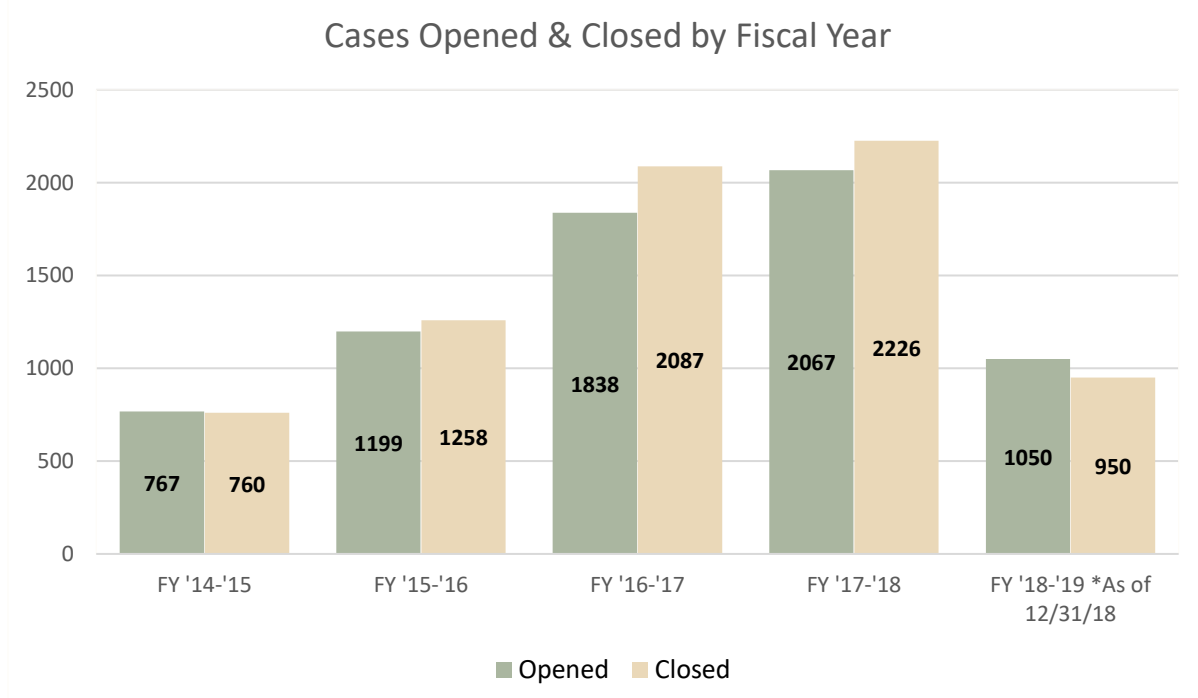
At the time of this writing, we are nearly fully staffed with one Code Enforcement Manager, four fulltime Code Enforcement Officers, three administrative support staff, and two part-time Code Enforcement Officers. This year, we intend to hire one more part-time Code Enforcement Officer to increase our capacity for weekend inspections and proactive blight inspections. The Division has one full-time Code Enforcement Officer position, which was not filled this year to contribute savings toward the City's structural deficit. This frozen vacant position will be re-evaluated during the upcoming budget process.

Training

Each fulltime Code Enforcement Officer has completed the necessary courses and are certified Code Enforcement Officers through the California Association of Code Enforcement Officers (“CACEO”). Three of our full-time officers have completed the International Code Council’s (“ICC”) Residential Inspection Institute which better prepared them to identify and apply key code sections when conducting housing inspections. One of the three officers has completed the ICC exam and is a certified ICC Property Maintenance and Housing Inspector. All our Code Enforcement Officers continue to attend the annual CACEO Seminars to stay up to date on important code enforcement issues and obtain necessary credits to maintain their certification.

Accomplishments

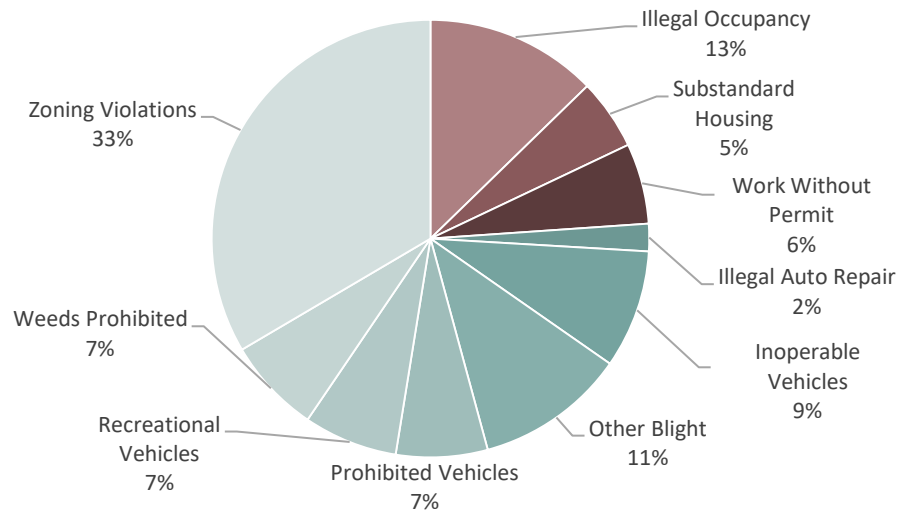
Since the Kaizen event, Code Enforcement has significantly increased the number of cases handled and is on track to maintain these numbers this fiscal year. While it may appear that the the quantity of cases we are addressing is reaching a plateau, we believe this is a result of two factors: first, we have reached a place where, with the same staffing levels, our caseloads have become more steady yet sustainable; and second, we have increasingly focused our attention and resources towards handling more complex housing violations. Our two part-time Code Enforcement Officers have allowed us to conduct weekend and after-hours enforcement and when we hire an additional part time officer, we anticipate an increase in blight cases handled.



Our Division motto is “*Compliance through education and outreach*” and we continue to practice this by attending multiple outreach events throughout the year. In 2018, we participated in six community meetings and set up booths at four community events. We continue to seek opportunities to educate residents on common code violations and safe living conditions. Approximately 76% of our cases addressed last fiscal year were related to visual blight while the remaining 24% were housing related as demonstrated in the chart that follows.

Breakdown of Closed Cases FY '17-'18

2226 cases closed in total



While voluntary compliance is our goal, we continue to utilize our administrative remedies process and have seen an uptick in citations issued. Citations are issued to repeat violators and those who fail to comply after being notified. Beyond citations, we have also focused on utilizing all the enforcement tools available to us and have begun more regularly issuing compliance orders, holding administrative hearings, obtaining inspection warrants, and pursuing receiverships when appropriate.

With our increased efficiency, the complexity of the cases we focus on has changed. We have increased our capacity to address more complex nuisance properties. Oftentimes, these nuisance properties deny consent to inspect. In these instances, an inspection warrant is an invaluable resource for gaining access to these properties to identify and address serious life safety concerns. Historically, Code Enforcement has not had the resources to draft and execute inspection warrants. In 2015, with the support of the City Attorney's office, we began using inspection warrants for the first time. In 2017, the drafting of warrants was shifted from the City Attorney's office over to Code Enforcement. Since then, and as demonstrated in the table below, we have increased the number of inspection warrants completed, and plan to complete more in the coming months.

Fiscal Year	Warrants Completed	Drafted By (division)
'15-'16	2	City Attorney
'16-'17	3	City Attorney
'17-'18	5	Code Enforcement
'18-'19	4*	Code Enforcement
*as of December 2018		

Gaining access to these properties with inspection warrants has revealed the need for more complex enforcement. When these property owners refuse to bring their properties into compliance we pursue receiverships as a way of ensuring the severe code violations are addressed, and as a

way of recovering the costs of this more time-intensive process. Code Enforcement works with our outside counsel to determine when a receivership is appropriate. In cases where it is, a motion is filed and a judge will make the determination of whether or not to appoint a receiver. When a receiver is appointed, they determine how to best remediate all violations on the property and have the full authority to do so. Through receiverships, the City can ensure the remediation of nuisance properties and recover all administrative costs of doing so through the sale of the property. Through 2017 and 2018, we have pursued receiverships at five properties in Salinas. Two were successfully completed, two are pending sale at the time of this writing, and one is currently in process but nearly complete with the remediation process. We intend to continue utilizing receiverships to address our most egregious cases where property owners are either deceased or unable and unwilling to remediate serious life safety concerns that affect occupants and pose a risk to neighboring residents.

Goals

This coming year, one of our major objectives is to work with the National Resource Network (NRN) to conduct a feasibility study on the implementation of a Residential Rental Registration and Inspection Program. Registration alone would help us gain a better understanding of our current rental housing stock and better identify responsible parties for problem properties to improve code enforcement outcomes. One of the recommendations that came out of the National Resource Network's 'Salinas Plan' report was the need to be proactive in protecting our housing stock and Salinas' residents by identifying rental properties and ensuring that these properties are maintained to code (NRN Final Report – The Salinas Plan; Chapter 6 - IN07).

In addition to this feasibility study, we hope to increase the use of inspection warrants and receiverships to address blighted and nuisance properties. These tools have proven to be incredibly effective and we intend to expand on their use when appropriate.

With our increased focus on housing related issues, one of our goals is to work with the Housing and Community Development Division to develop a pilot program that would provide housing support to residents who are displaced as a result of our enforcement efforts.

In addition to investing more resources to addressing complex housing cases, we hope to better utilize our part time code officers and coordinate with each council district to gradually initiate proactive, blight related code enforcement during weekends and after hours.

CEQA CONSIDERATION:

Not a Project. The City of Salinas has determined that the presentation of this Report is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378).

DEPARTMENTAL COORDINATION:

Our focus on more complex nuisance properties has required and allowed us to continue our close collaboration with the Building Division and Fire Prevention Bureau. Each division plays an important role with our inspection warrants and provide supporting documentation for our notices and reports. In turn, we have assisted these divisions with their enforcement efforts, including

participation in Fireworks enforcement, and conducting joint inspections at the request of the Building Division.

We have developed even closer ties with the Police Department and benefit from SPD's support during our inspection warrants. We provide SPD our assistance with Code Enforcement issues at nuisance businesses or properties that they encounter.

With the support of the City Attorney's office, we have been able to take on the drafting of Inspection Warrants and Notices & Orders which were previously handled by either their office or outside counsel. This has allowed us to be more effective with our enforcement and move towards pursuing more receiverships to address nuisance properties in Salinas.

STRATEGIC PLAN INITIATIVE:

The Code Enforcement Division promotes the City Council's initiative of promoting a "Safe, Livable Community" and "Quality of Life" by increasing public safety by addressing substandard housing, dangerous buildings, unauthorized land and building uses, zoning violations, and by preventing and eliminating visual blight in neighborhoods.

FISCAL AND SUSTAINABILITY IMPACT:

The operating budget for the Code Enforcement Division is \$1,210,420. Of that, \$373,410 is funded through the General Fund; \$425,820 is funded through Measure E; and \$511,190 is funded through Measure G.