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OAKLAND

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# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** William Gilchrist  
Director, PBD

**SUBJECT:** Quarterly Code Enforcement Report

**DATE:** February 5, 2018

City Administrator Approval

Date:

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*2/18/18*

## RECOMMENDATION

**Staff Recommends That The City Council Receive An Informational Report On The Code Enforcement Activities of the Planning and Building Department (PBD).**

## EXECUTIVE SUMMARY

This report provides the City Council with current information on the code enforcement activities of PBD, including code enforcement data by quarter for July 2017 through December 2017 of Fiscal Year (FY) 2017-18. The report also provides an update on work to enhance the code enforcement program. PBD's Code Enforcement Division enforces compliance with building, housing, and zoning codes and regulations. It is important to note that although many departments within the City enforce property-related regulations, such as the City Administrator's Office, Public Works Department, Fire Department, and Police Department, the data and work activities described in this report only pertain to PBD.

## BACKGROUND / LEGISLATIVE HISTORY

### ***Purpose and Origin of Quarterly Code Enforcement Report***

The City's FY 2015-17 Policy Budget contains a policy directive to provide an informational report on a quarterly basis to the City Council concerning the code enforcement activities of PBD. The purpose of the report is to update the Council on the amount and types of code enforcement work occurring and the key initiatives underway to improve the effectiveness of the program.

Below are some of the key initiatives the Department has implemented since 2011:

- Staff Coordination – Weekly Code Enforcement staff meetings were initiated to discuss Department protocols and complex cases.

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- Staff Development – A training program was instituted to provide training to staff on a variety of topics including effective customer service and legal requirements.
- Enhanced Public Notices – Notices to property owners and the public were updated to provide clearer information using easier-to-understand language.
- Courtesy Notices – New courtesy notices and an owner self-certification procedure were instituted for minor blight violations.
- Fee Study and Adjustments – A study of Department fees was conducted by an outside consultant and fees were adjusted to reflect reasonable costs incurred.
- Appeal Hearings – Outside hearing officers, instead of City employees, are now used for appeal hearings.
- Procedures Manual – A comprehensive code enforcement procedures manual was developed.
- Clean-Up Contractors – A formal process was established for selecting contractors to clean up property blight.
- Property Database – The Department's property database system has been upgraded to Accela, which provides enhanced access to information and facilitates better tracking of complaints and violations. Code enforcement inspectors can now access database information in the field via smart phones.
- Public Access – Accela provides online public access to code enforcement and permit records and the public can submit complaints online. The Department also has a mobile app, "Tell Us" that allows the public to easily submit complaints and check the status of complaints using a smart phone.

## **ANALYSIS / POLICY ALTERNATIVES**

### ***Code Enforcement Statistics***

A primary goal of the City's code enforcement program is to facilitate correction of building, housing, and zoning code violations in a timely, effective, and efficient manner. The length of time to achieve compliance varies tremendously based on several factors such as the complexity of the violation and the cooperation of the property owner. The code enforcement program is primarily complaint-driven; the number of complaints received can vary over time.

Below are tables providing updated statistics for code enforcement activities for FY July 2017 – December 2017.

**Table 1: Complaints & Inspections in July 2017 (Q1) – December 2017 (Q2)**

	<b>1<sup>st</sup> Quarter Jul 2017 – Sep 2017</b>	<b>2<sup>nd</sup> Quarter Oct 2017 – Dec 2017</b>
<b><i>Property Blight</i></b>		
Complaints	717	533
Inspections	388	329
<b><i>Building Maintenance</i></b>		
Complaints	475	518
Inspections	299	432
<b><i>Zoning</i></b>		
Complaints	113	88
Inspections	90	36
<b><i>All Cases</i></b>		
Complaints	1,305	1,139
Inspections	777	797

**Table 2: Status of Complaints Received Q1 and Q2 2017-18**

<b>Jul 2017 – Dec 2017</b>	
<b><i>Property Blight</i></b>	
Complaints	1,250
Cases Closed	696
Cases Open	554
<b><i>Building Maintenance</i></b>	
Complaints	993
Cases Closed	437
Cases Open	556
<b><i>Zoning</i></b>	
Complaints	201
Cases Closed	117
Cases Open	84
<b><i>All Cases</i></b>	
Complaints	2,444
Cases Closed	1,250
Cases Open	1,194

**FISCAL IMPACT**

This is an informational report. No actions are requested so no fiscal impacts are anticipated.

**PUBLIC OUTREACH / INTEREST**

There is tremendous public interest in the City's code enforcement program. Department staff communicates regularly with property owners and building occupants to hear feedback on the program and discuss potential improvements.

**COORDINATION**

This report was prepared in coordination with the City Administrator's Office. The Department coordinates with many City departments concerning the work described in the report, including the City Administrator's Office, Fire Department, Police Department, Public Works Department, Housing and Community Development Department, and City Attorney's Office.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** This is an informational report so there are no actions requested of the Council and no direct economic impacts. Code enforcement activities have economic benefits by preserving quality of life and ensuring safety for Oakland residents, business owners, and visitors.

**Environmental:** This is an informational report so there are no actions requested of the Council and no direct environmental impacts. Code enforcement activities have environmental benefits by enforcing codes designed to protect the environment.

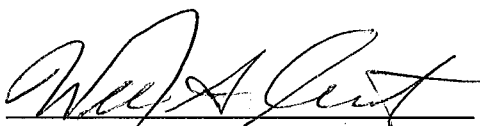
**Social Equity:** This is an informational report so there are no actions requested of the Council and no direct social equity impacts. Code enforcement activities can have social equity implications. For example, with the current complaint-based system, people with access to the system are more likely to submit complaints. Marginalized communities living in substandard housing may be reluctant to submit complaints. A proactive inspection system would address this issue but safeguards are necessary to minimize displacement.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council receive this informational report on the code enforcement activities of the Planning and Building Department.

For questions regarding this report, please contact William Gilchrist, Director of Planning and Building, at (510) 238-2229.

Respectfully submitted,



WILLIAM A. GILCHRIST  
Director, Planning and Building Department