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OAKLAND

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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Rachel Flynn
Director, Planning and
Building Department

SUBJECT: Quarterly Tracking Report for Code
Enforcement

DATE: June 16, 2016

City Administrator Approval

Date:

6/29/16

RECOMMENDATION

Staff Recommends That City Council Accept This Quarterly Report On Code Enforcement Activities In The Planning And Building Department.

EXECUTIVE SUMMARY

This quarterly report provides the City Council with current information on Code Enforcement (CE) activities. It includes background information on programs related to CE as well as requested metrics from October 1, 2015 to December 31, 2015 and January 1, 2016 to March 31, 2016. Metrics include: complaints received, inspections conducted, notices of violations sent, etc., to highlight efforts to address property blight and building maintenance codes.

BACKGROUND / LEGISLATIVE HISTORY

On June 30, 2015, the City Council adopted the Fiscal Year 2015-17 Biennial Policy Budget (Resolution No. 85682 C.M.S.), which included Policy Directive (PD) #2a that directed the Planning and Building Department to provide a quarterly matrix of Code Enforcement activities.

ANALYSIS

The attached matrix (**Attachment A**) regarding Code Enforcement (CE) complaints received during the 2nd Quarter of Fiscal Year 15-16; October 1, 2015 through December 31, 2015 and the 3rd Quarter of Fiscal Year 2015-16; January 1, 2016 through March 31, 2016. During the 2nd Quarter, there were 941 CE related complaints. During the 3rd Quarter, there were 1,105 CE related complaints.

Accela CE Updates

Accela was implemented in January 2014 and replaced the former Permit Tracking System. The Planning and Building Department (PBD) continues to work with the Accela vendor and their partners to develop enhancements – including improvements to complaint filing, complaint tracking, and reporting of Code Enforcement cases. Specifically, PBD is implementing a new app by CityGovApp, in July 2016, which will allow citizens to report complaints on their cellular phones (and other “smart devices” such as iPads). Citizens filing complaints may submit photographs and detailed information – and may view the City map that will be linked to the CityGovApp. Citizens will also be provided links to enforcement procedures and City referral information. The CityGovApp will allow citizens to check the status of a complaint. PBD is also implementing the CityGov reporting dashboard that will allow for staff to review CE data in a more efficient and effective manner, i.e., for our CE Quarterly Reports to City Council. The Reporting Dashboard tool allows for the search of details on types of complaints filed, as well as their locations and status.

Background of CE Programs

Property Blight Program is in Section 8.24 of the Oakland Municipal Code (OMC) and involves code enforcement of blighted lots (vacant or with structures) and blighted buildings (vacant or occupied). If it is determined that blight exists, the City follows the procedures set forth in OMC Section 15.08 – Maintenance Code. This program is handled by the Code Enforcement Division of the Bureau of Building. Staff includes the Building Official, the Principle Inspections Supervisor, multiple Specialty Combination Inspectors, the Management Assistant and her Administrative staff.

Zoning Enforcement responds to land use activity violations per OMC Section 17.110. This type of enforcement is handled by the Planner IV and Planner III in the Bureau of Building.

Foreclosed and Defaulted Registration Program is in OMC Section 8.54. This requires that lenders register vacant, foreclosed and defaulted properties annually and maintain properties per OMC Section 15.08. This program is managed by our Program Analyst in the Bureau of Building.

Non-Owner Occupied Residential Building Registration is in OMC Section 8.58. This requires that new property owners register properties within 90 days of purchase, if the owner does not intend to occupy the property. This is managed by our Program Analyst.

Other Code Enforcement-related Duties:

- Nuisance Abatement – This is handled in the City Administrator's Office and involves coordination with Code Enforcement as related to property blight and building maintenance with Criminal and Nuisance Activity, OMC Sections 1.08 and 1.12. Examples include sidewalk encroachments and noise violations.
- City Attorney's Office Neighborhood Law Corp – This office works closely with Code Enforcement as needed for complex blight violations. Examples include appeals, application of receivership, etc.
- Strategic Multi-Agency Response Team (SMART) – This is a coordinated effort among multiple departments regarding problem properties that involve criminal activity and other OMC related violations. The departments involved include the Police Department (OPD), Public Works (OPW), Code Enforcement, the Fire Marshall's Office, the City Administrator's Office of Nuisance Abatement, and County Vector Control.
- Neighborhood Crime Prevention Council (NCPC) – This is managed by OPD and involves Code Enforcement as needed to inform neighborhoods of our services.
- Deemed Approved – OMC Section 8.03 requires annual inspections of hotels and motels to insure they are properly maintained per OMC requirements.
- Safety Hazard Response - The Building Official and Code Enforcement staff is contacted when an event occurs, i.e., major fire destruction that may pose a safety hazard to building occupants and/or the public.
- Healthy Homes – This is an Alameda County Health Department program that addresses asthma, which is typically caused by mold in residential units. The City provides initial inspections services for the County to confirm if mold or other building related issues are causing health problems.
- Pro-active Inspections – The City initiated a pilot Safe Housing Inspections Program (SHIP) in 2015. Pro-active inspections are now being conducted by the Fire Department in the San Antonio neighborhood. The Fire Inspector reports any property blight (weeds, trash), blighted buildings, and/or building maintenance issues to the Bureau of Building for follow-up. The City hired a temporary one-year employee to coordinate this program and to research the possibility of a new Pro-active program for the Bureau of Building to conduct.

Item: _____

FISCAL IMPACT

No actions are requested as part of this report and as a result, there is no fiscal impact.

PUBLIC OUTREACH / INTEREST

The hearing of this quarterly report does not require any public outreach beyond normal noticing on the City's website.

COORDINATION

This report was prepared in coordination with the City Administrator's Office and City Attorney's Office.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with the acceptance of this report.

Environmental: There are no environmental opportunities associated with the acceptance of this report.

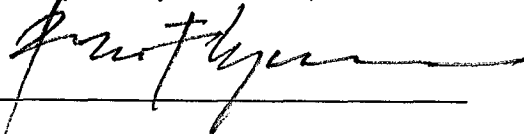
Social Equity: Improved CE services are expected to result in blight abatement and therefore cleaner neighbors and safer housing throughout Oakland.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the Community and Economic Development Committee accept this quarterly report on Code Enforcement activities from October 1, 2015 to March 31, 2016.

For questions regarding this report, please contact Sandra Smith, Management Assistant, at (510) 238-3239.

Respectfully submitted,



Rachel Flynn, AIA
Director, Planning and Building Department

Reviewed by:
Tim Low, PE
Acting Building Official/Deputy Director
Bureau of Building
Planning and Building Department

Reviewed by:
Rich Fielding
Principal Inspections Supervisor
Bureau of Building
Planning and Building Department

Prepared by:
Sandra Smith, Management Assistant
Bureau of Building, Code Enforcement
Planning and Building Department

Attachments (1):

Attachment A: Code Enforcement Activity for 2nd Quarter and 3rd Quarter of FY15-16

**PLANNING & BUILDING
DEPARTMENT
BUREAU OF BUILDING
CODE ENFORCEMENT ACTIVITY**

2nd & 3rd Quarters

FY 2015-2016

PHASE I – INTAKE OF COMPLAINTS

2

- TOTAL INTAKE
 - ▣ **Property Blight**
 - ▣ Building Maintenance
 - ▣ Zoning

Totals 3 rd Quarter	Totals 2 nd Quarter
1,105	941
536	443
499	428
70	70

PHASE II – COURTESY NOTICES OR INSPECTIONS

Property Blight

3

3rd Quarter

2nd Quarter

536

443

COURTESY NOTICES

275

237

INSPECTIONS

261

206

Violation(s) Verified

132

124

No Violation(s) Found

129

82

PHASE III – ENFORCEMENT

Property Blight

4

ENFORCEMENT RESULTS

- TOTAL Violations Verified
 - ▣ Notices of Violation (NOV's) Issued
 - ▣ Abated
 - ▣ Property Owner Certify
- NOV's in Progress
 - ▣ Not allowed to Follow-up due to access/response
 - ▣ Closed

	3 rd Qtr.	2 nd Qtr.
	536	443
	132	124
	114	77
	87	75
	130	127
	75	28
	25	70
	105	66

PHASE IV – FOLLOW-UP INSPECTIONS/ACTIONS

Property Blight

5

	3 rd Quarter	2 nd Quarter
□ FOLLOW-UP INSPECTIONS	114	77
▣ Violation(s) Unabated	36	30
▣ Violation(s) Abated	78	39
POST-INSPECTIONS FOLLOW-UP	114	69
▣ Notice to owner regarding warrant	-	6
▣ Warrant obtained	-	6
▣ Property Cleaned Up by Contractor	-	17

PHASE I – INTAKE OF COMPLAINTS

6

- TOTAL INTAKE of Complaints
 - ▣ Property Blight
 - ▣ **Building Maintenance**
 - ▣ Zoning

Totals 3 rd Quarter	Totals 2 nd Quarter
1,105	989
536	443
499	428
70	70

PHASE II – COURTESY NOTICES OR INSPECTIONS

Building Maintenance

7

	3 rd Quarter	2 nd Quarter
TOTAL COMPLAINTS	499	428
<input type="checkbox"/> COURTESY NOTICES	96	87
<input type="checkbox"/> INSPECTIONS	403	341
<input type="checkbox"/> Violation(s) Verified	376	222
<input type="checkbox"/> No Violation(s) Found	27	119

* Other Complaint activity during this quarter for cases filed before April, 2016

PHASE III – ENFORCEMENT

Building Maintenance

8

	3 rd Quarter	2 nd Quarter
□ TOTAL Violations Verified	376	222
▣ Notices of Violation (NOV's) Issued	370	126
▣ NOV's in Progress	5	90
▣ Stop Work Order Issued	1	6

* Other Complaint activity during this quarter for cases filed before April, 2016

PHASE IV – FOLLOW-UP INSPECTIONS/ACTIONS

Building Maintenance

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- FOLLOW-UP INSPECTIONS/APPEALS
 - ▣ Violations Abated
- Violation(s) Unabated
 - ▣ Warrant
 - ▣ Not allowed to Follow-up due to access response
 - ▣ Appeals/Hearings

3rd Quarter	2nd Quarter
141	444
33	128
108	316
6	6
58	60
-	11

PHASE I – INTAKE OF COMPLAINTS

- TOTAL INTAKE of Complaints
 - Property Blight
 - Building Maintenance
 - **Zoning**

Totals 3 rd Quarter	Totals 2 nd Quarter
1,105	941
536	443
499	428
70	70

PHASE II – COURTESY NOTICES OR INSPECTIONS

Zoning

11

	3 rd Quarter	2 nd Quarter
TOTAL COMPLAINTS	70	70
<input type="checkbox"/> COURTESY NOTICES	10	5
<input type="checkbox"/> INSPECTIONS	60	66
<input type="checkbox"/> Violation(s) Verified	36	44
<input type="checkbox"/> No Violation(s) Found	24	22

PHASE III – ENFORCEMENT Zoning

12

- TOTAL Violations Verified
 - ▣ Notices of Violation (NOV's) Issued
 - ▣ NOV's in Progress
 - ▣ Stop Work Order Issued

	3 rd Quarter	2 nd Quarter
TOTAL Violations Verified	36	44
▣ Notices of Violation (NOV's) Issued	22	28
▣ NOV's in Progress	11	16
▣ Stop Work Order Issued	3	-

* Other Complaint activity during this quarter for cases filed before April, 2016

PHASE IV – FOLLOW-UP INSPECTIONS/ACTIONS

Zoning

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□ FOLLOW-UP INSPECTIONS/APPEALS

- Violation(s) Unabated
- Violation(s) Abated
- Appeals/Hearings

3 rd Quarter	2 nd Quarter
22	28
14	17
8	10
-	1

Code Enforcement Fees

	3 rd Quarter	2 nd Quarter
□ TOTAL FEES INVOICED	\$ 319,568	\$ 811,672
□ TOTAL REVENUES RECEIVED	\$ 278,515	\$ 285,584