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OFFICE OF THE CITY CLERK
OAKLAND

2020 JAN -2 PM 2:19

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: William A. Gilchrist
Director, PBD

SUBJECT: Quarterly Code Enforcement Report

DATE: December 23, 2019

City Administrator Approval

Manasijob Date:

1/2/2020

RECOMMENDATION

Staff Recommends That The City Council Receive An Informational Report On The Code Enforcement Activities Of The Planning And Building Department For October 2018 Through June 2019 Of Fiscal Year 2018-19.

EXECUTIVE SUMMARY

This report will be provided through a PowerPoint Presentation and will provide the City Council with current information on the code enforcement activities of the Planning and Building Department (PBD), including code enforcement data by quarter for October 2018 through June 2019 of Fiscal Year (FY) 2018-19. 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 (CAO), Public Works Department (OPW), Fire Department (OFD), and Police Department (OPD), the data and work activities described in this report only pertain to PBD's enforcement activities.

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 City Council on the amount and types of code enforcement work occurring and the key initiatives underway to improve the effectiveness of the program.

Item: _____
CED Committee
January 14, 2020

Below are some of the key initiatives that the Department has implemented since the last Quarterly Code Enforcement Report presented at the February 19, 2019 Community and Economic Development Committee:

- Staff Coordination – Weekly Code Enforcement staff meetings with OFD, City Attorney's Office and other departments continue in order to discuss Department protocols and complex cases.
- FUSE Fellow- In September of this year, PBD entered into a contract with FUSE Corps, which is a national nonprofit organization that specializes in recruiting, training, and placing highly experienced executive-level professionals in local government agencies to deliver on strategic high-impact projects. The FUSE Fellow will focus on assessing how the department's land-use management system, Accela, can be modified to improve code enforcement workflows, case management, and data record keeping, and furthermore, how it can support the needs of relevant departments as well as the public in providing transparency.
- Recruitments – As of January of this year, the department has worked with the Human Resources Department (HR) to post the special combination inspector vacancies as a continuous recruitment in order to receive applications continuously rather than incrementally. This has improved the interviewing and hiring process because the department receives more eligible candidates in a faster timeframe. Furthermore, the FY 2019-2021 Adopted Budget added the following positions within the Code Enforcement Unit: two (2) Specialty Combination Inspectors and one (1) Principal Inspection Supervisor. As of the date of submission of this report, the department has a total of five (5) Specialty Combination Inspector vacancies out of two (2) budgeted positions, and one (1) Principal Inspection Supervisor vacancy out of two (2) budgeted positions within the Code Enforcement Unit.

ANALYSIS AND POLICY ALTERNATIVES

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 upon several factors, such as the complexity of the violation or the cooperation of the property owner. The code enforcement program is primarily complaint-driven, and the number of complaints received can vary over time.

Code Enforcement Definitions

Property Blight: Any property, i.e. residential, commercial or industrial properties, that exhibits a lack of maintenance, livability, and appearance that does not promote the health, safety and general welfare of the community. Blight includes: abandoned or unsecured buildings and structures; abandoned construction projects; dilapidated, deteriorated buildings; broken or missing windows, doors, fencing, signs, retaining walls; defaced buildings; overgrown vegetation; trash and debris; unclean, unsanitary property; garbage bins left in public view; open storage; property that creates a dangerous condition i.e., erosion controls; unstable soil

conditions; parking and storage of trailers, campers, recreational vehicles, boats, unregistered, inoperative vehicles, appliances, furniture, etc.

Note: Illegal dumping of items on the street and sidewalk is commonly reported to Code Enforcement Services of PBD, but it falls under the enforcement responsibility of the OPW.

Building Maintenance: Regulations controlling the use, occupancy, locations, and maintenance of all residential and non-residential buildings, structures, portions thereof and real property.

Zoning: Regulations related to compliance with use parameters under residential, commercial, and industrial zone designations that include, for example: fence height, business in residential areas, persistent noise, excessive signage or other unapproved activity.

Code Enforcement Statistics

The PowerPoint Presentation (***Attachment A***) provides data on Complaints and Inspections, Volume of Inspections, Enforcement Actions for Compliance and Abatement, and lastly Fees Assessed for Quarters (Q) 2 - 4 of FY 2018-19.

FISCAL IMPACT

This item is for informational purposes only and does not have a direct fiscal impact or cost.

PUBLIC OUTREACH / INTEREST

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

COORDINATION

PBD coordinates with many City departments concerning the work described in the report, including the CAO, OFD, OPD, OPW, Housing and Community Development Department (HCDD), and the City Attorney's Office. Other departments may become involved depending on the property's location or operation.

SUSTAINABLE OPPORTUNITIES

Economic: This is an informational report so there are no actions requested of the City 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.

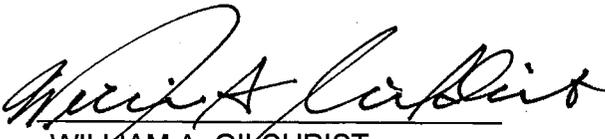
Race & Equity: This is an informational report so there are no actions requested of the Council and no direct social equity impacts. Code enforcement activities can have social equity implications. For example, with the current complaint-based system, people that can access the system either thru the online website, by phone, or in person, are more likely to submit complaints. Marginalized communities living in substandard housing may be reluctant to submit complaints. PBD coordinates with HCDD to mitigate impact on residents through referral of City Services that educates and directs tenants in finding resolutions that impact living standards.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council receive an Informational Report on the Code Enforcement activities of PBD for October 2018 through June 2019 of FY 2018-19.

For questions regarding this report, please contact Katie Dignan, Assistant Director of Planning and Building, at (510) 238-3663.

Respectfully submitted,



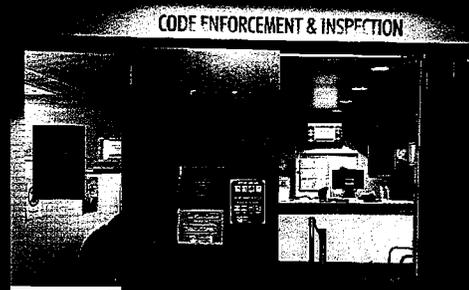
WILLIAM A. GILCHRIST
Director, Planning and Building Department

Prepared by:
Katie Dignan, Assistant Director
Planning and Building Department

Attachments (1):

A: Quarterly Code Enforcement Report FY2018-2019 Quarters 2 – 4

Quarterly Code Enforcement Report FY 2018-2019 Quarters 2 – 4 (October 2018 – June 2019)

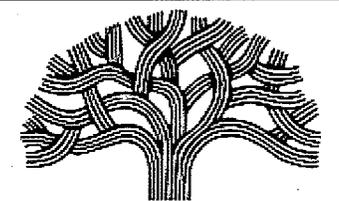


City of Oakland

Planning and Building Department (PBD)

January 14, 2020

Attachment A



City of Oakland
Planning & Building Dept.

Contents

- I. FY2018 – 2019 Q2 – Q4 Statistics: Complaints vs. Inspections
- II. Volume of Inspections from FY17 Q1 – FY19 Q4
- III. Complaint & Inspection Maps Q2 – Q4
- IV. Enforcement Actions
- V. Fees Assessed
- VI. Current Initiatives
- VII. Questions



Complaints Vs. Inspections

Quarter 2

(October 2018 – December 2018)

Type	Blighted Property	Building Maintenance	Zoning	Total
Complaints	519	420	89	1,028
1 st Inspection	356	392	66	814
Follow-up/Monitoring Inspection	457	993	50	1,500
Total Inspections by Type*	813	1,385	116	2,314

*Sum of 1st Inspections and Follow-up/Monitoring Inspection



Complaints Vs. Inspections

Quarter 3

(January 2019 – March 2019)

Type	Blighted Property	Building Maintenance	Zoning	Total
Complaints	698	561	80	1,339
1 st Inspection	531	593	64	1,188
Follow-up/Monitoring Inspection	517	1,217	50	1,784
Total	1,048	1,810	114	2,972

Inspections by Type*

*Sum of 1st Inspections and Follow-up/Monitoring Inspection

Complaints Vs. Inspections

Quarter 4

(April 2019 – June 2019)

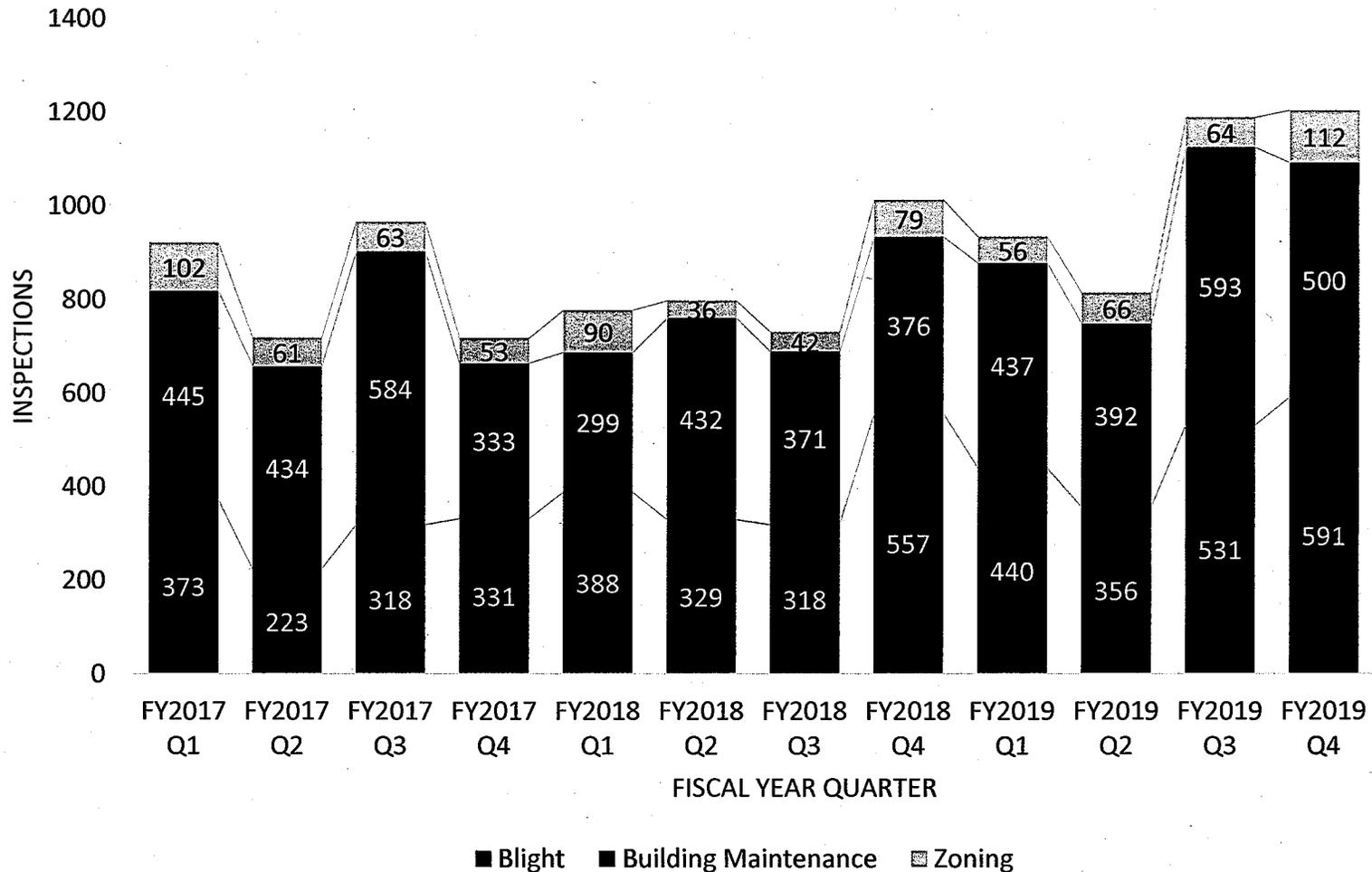
Type	Blighted Property	Building Maintenance	Zoning	Total
Complaints	794	532	149	1,475
1st Inspection	591	500	112	1,203
Follow-up/Monitoring Inspection	527	1,217	60	1,804
Total	1,118	1,717	172	3,007

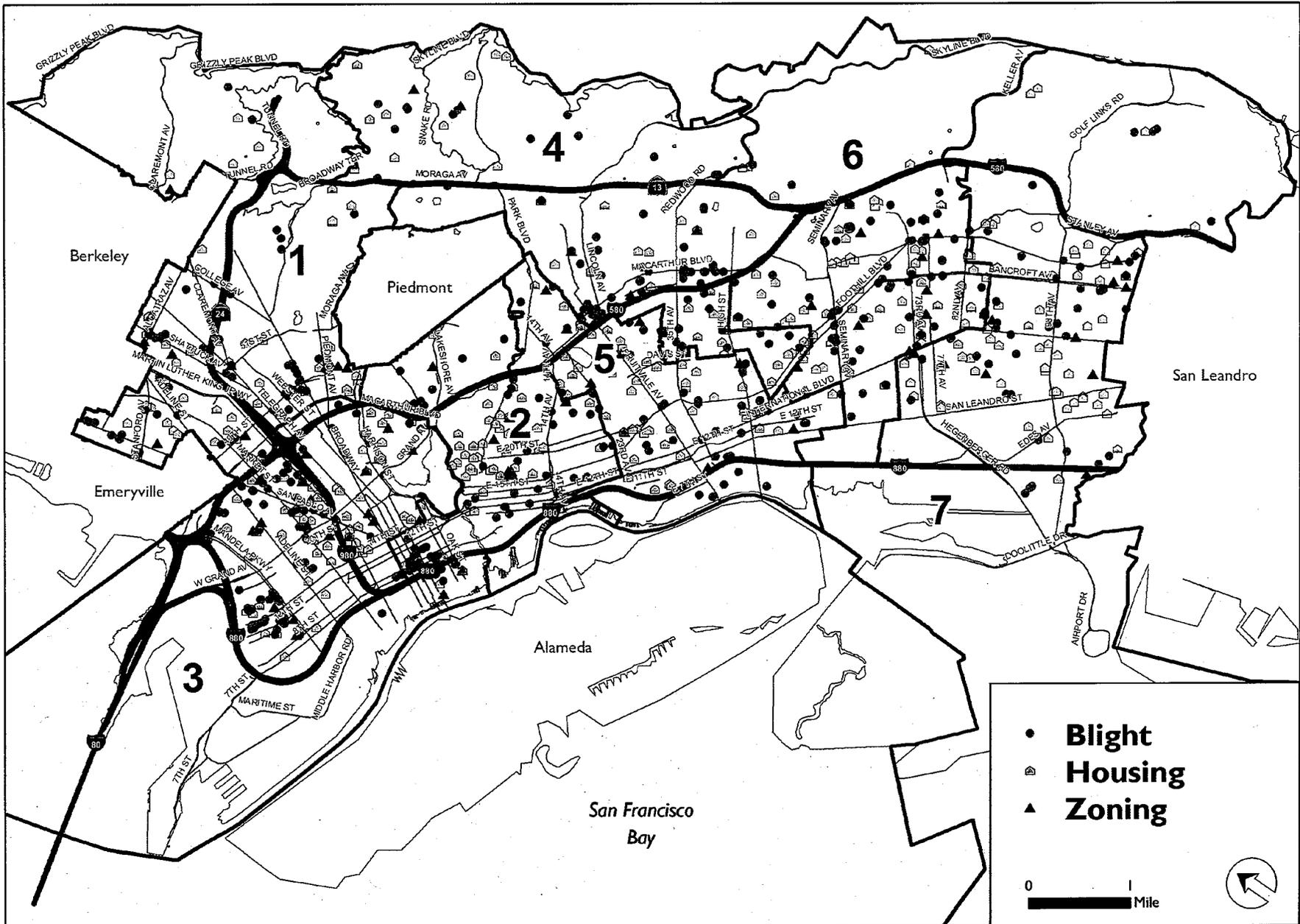
Inspections by Type*

*Sum of 1st Inspections and Follow-up/Monitoring Inspection

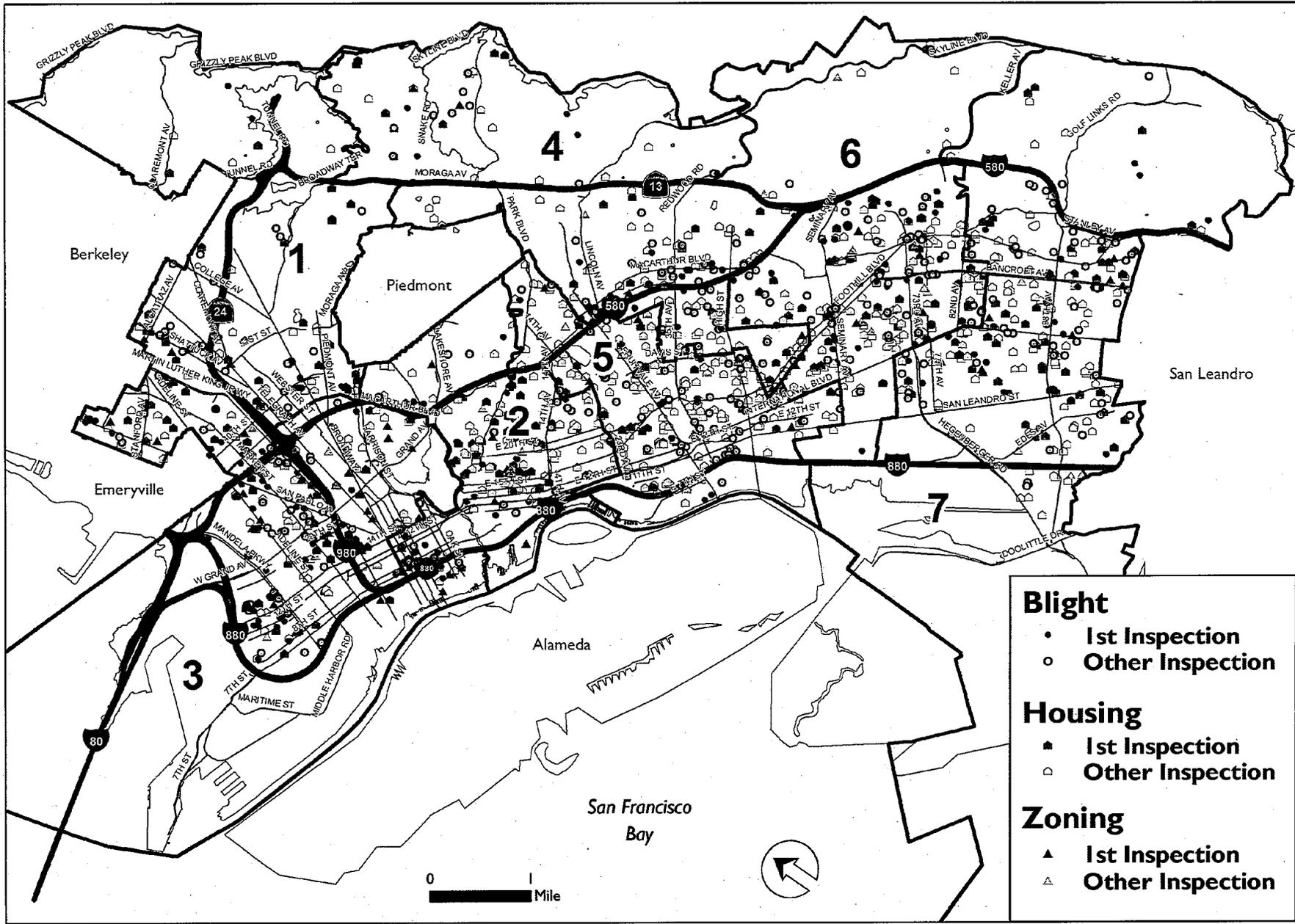


Volume of 1st Inspections Since FY2017 Quarter 1 – FY2019 Quarter 1

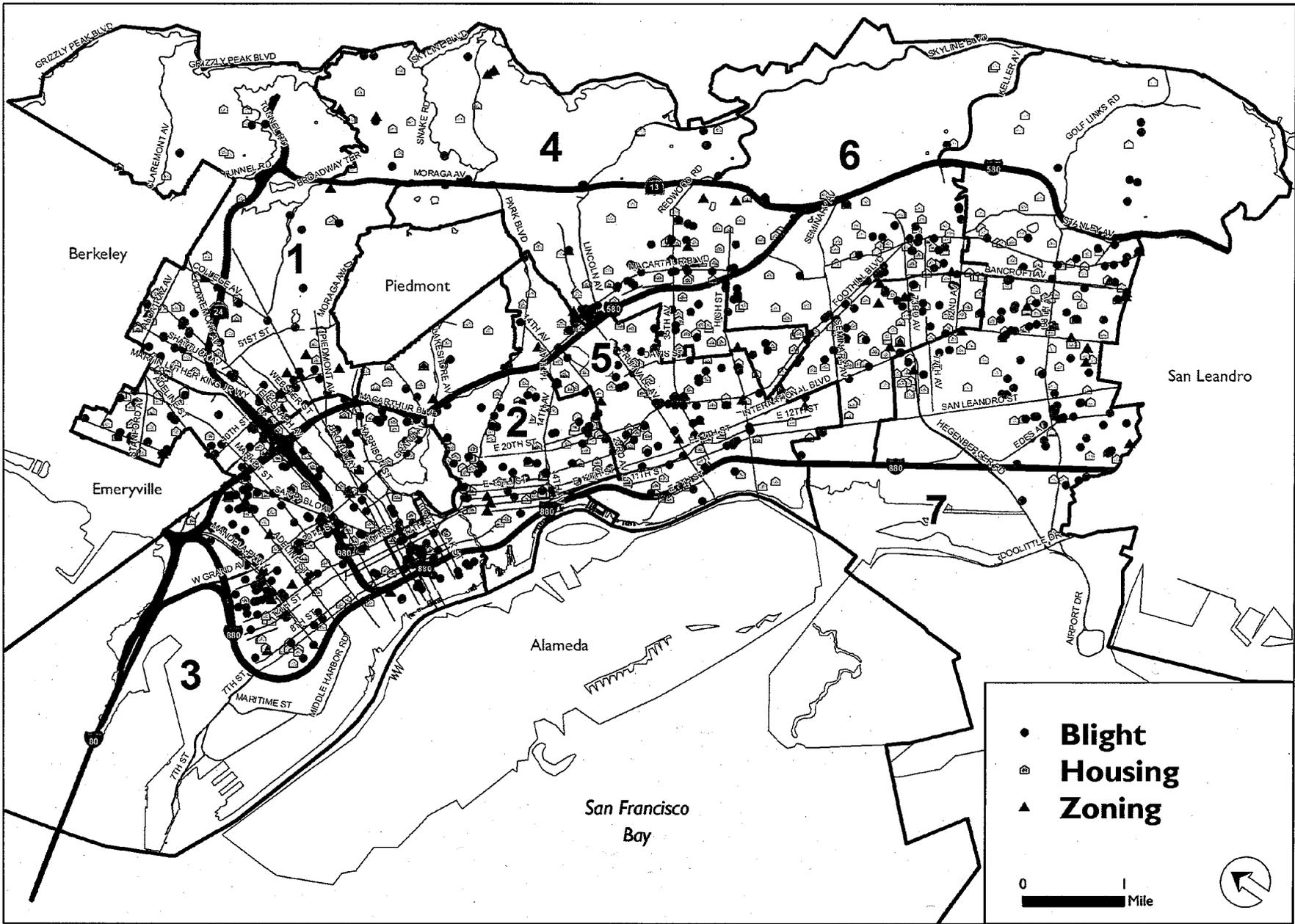




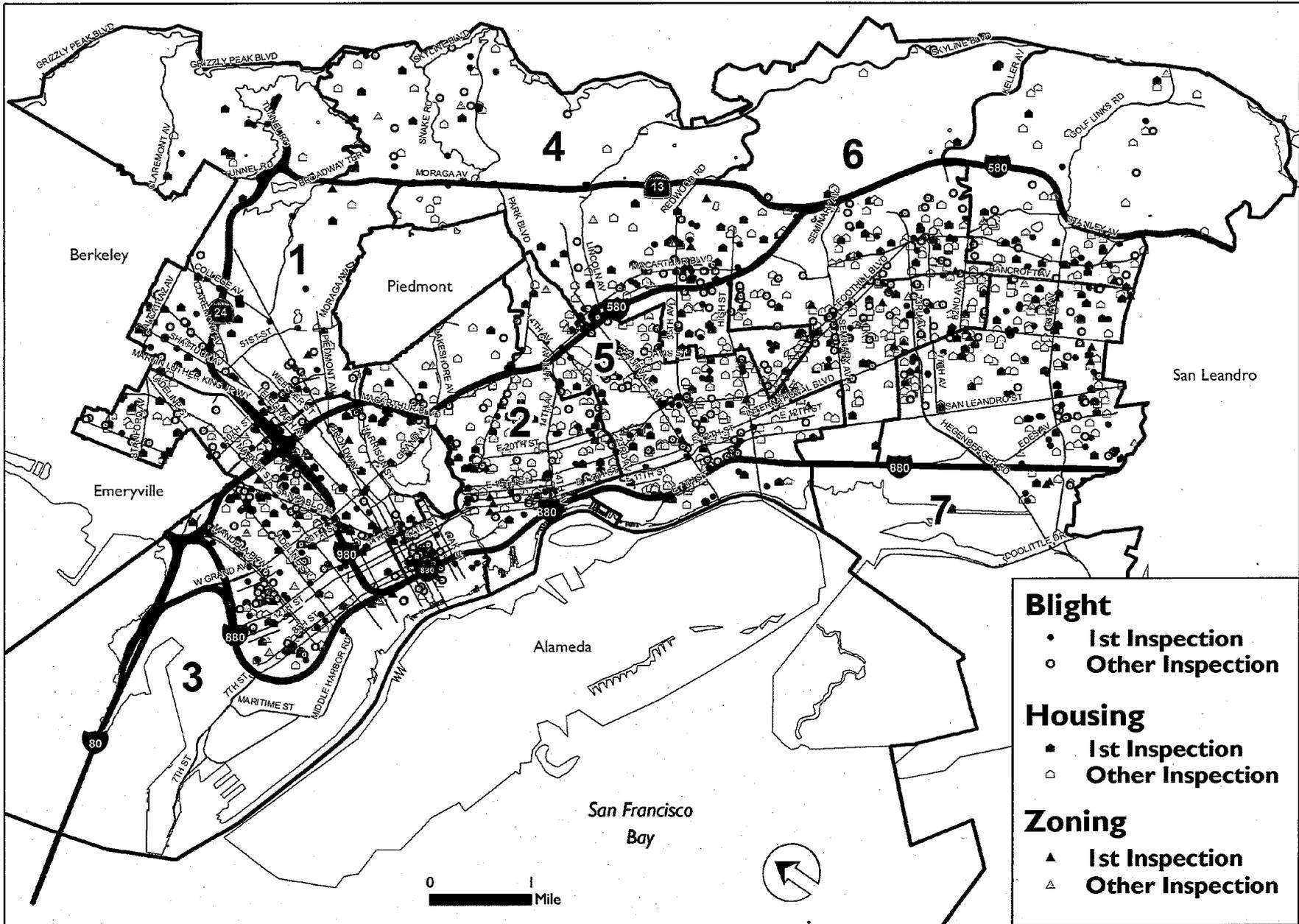
Code Enforcement Complaints Oct - Dec 2018



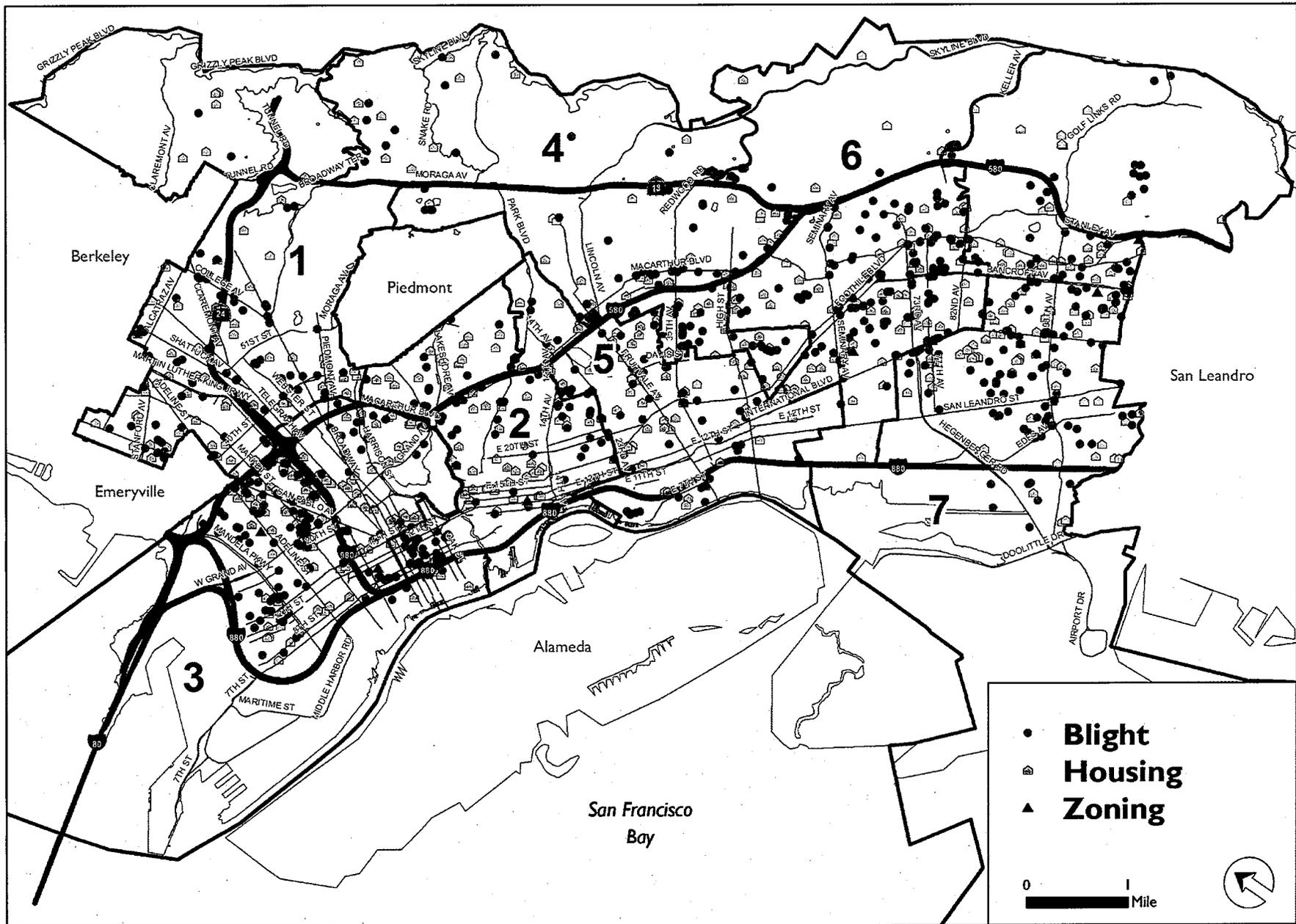
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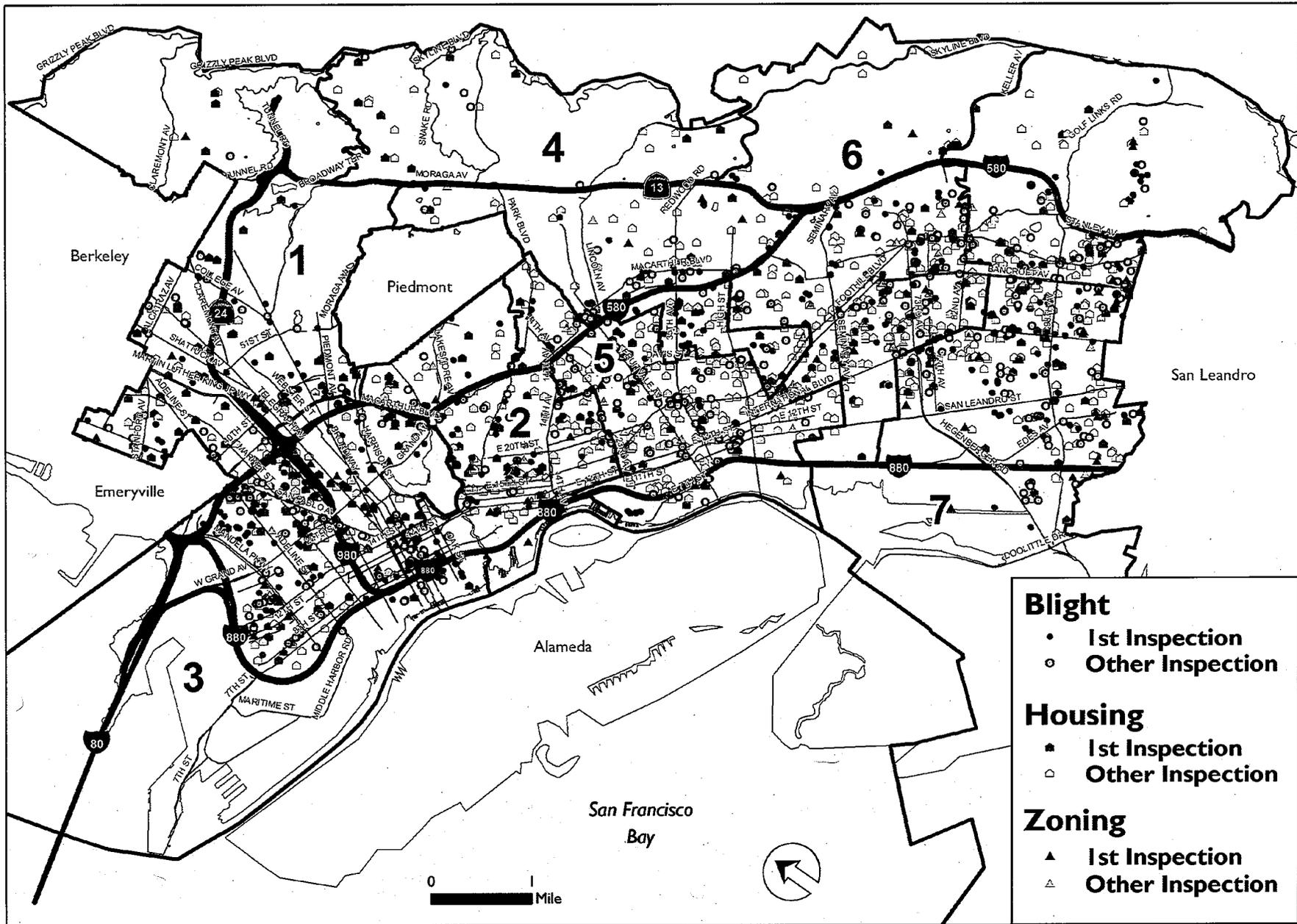
Code Enforcement Complaints Jan - Mar 2019



Code Enforcement Inspections Jan - Mar 2019



Code Enforcement Complaints April - June 2019



Code Enforcement Inspections April- June 2019

Enforcement Actions for Compliance or Abatement

Quarter	Clean-up Contract	Repeat Violators	Stop Work Order	Compliance Plan
October – December 2018	7	15	42	10
January – March 2019	11	7	56	8
April – June 2019	7	28	52	4



Abated & Closed*

FY2018 – FY2019 Q2 – Q4

Quarter	Total
October 2018 – Dec 2018	262
January 2019 – March 2019	267
April 2019 – June 2019	264
TOTAL	793

* Abated & Closed includes all Non Actionable, Referred, Withdrawn, etc.

Total Open Cases by Quarter

Quarter	Open Cases from previous Quarter	New Cases from Quarter	Abated & Closed*	Total Open Cases at end of Quarter
October – December 2018	817	1,028	262	1,583
January – March 2019	1,583	1,339	267	2,655
April – June 2019	2,655	1,475	264	3,866

*Abated & Closed includes all Non Actionable, Referred, Withdrawn, etc.



Fees Assessed

	Cases Invoiced	Fees (Includes Bonds)	Bonds for Compliance Plan
October – December 2018	225	\$433,648.18	\$80,000.00
January – March 2019	217	\$629,347.76	\$48,000.00*
April – June 2019	227	\$556,075.38	\$23,000.00*

*Includes lien amounts



Current Code Enforcement Initiatives Underway

- Update Standard Operating Procedures and Train Staff
- Continuous Recruitment for Specialty Combination Inspector classification
- Implementation of Key Performance Indicators
FY19-20 Q1 Report available on website
- Assigned Process Coordinator to facilitate permit issuance for housing and habitability cases.
- FUSE Fellow assigned to Code Enforcement
Joined the team on September 30th



Current Housing and Community Development Initiatives Underway to Protect Tenants from Displacement: ***Code Compliance Relocation Program (CCRP)***

- **Education** – Tenants facing a prospective or actual evacuation from their homes due to a code enforcement action receive information from Code Enforcement, Fire Inspectors, and/or Housing and Community Development Department (HCD) staff on their rights under the CCRP.
- **Replacement Housing Information & Referrals** – Tenants are provided with assistance by HCD staff in locating alternative housing including emergency shelter and permanent affordable housing.
- **Relocation Benefits** – In cases where tenants are determined to be eligible for relocation benefits and an owner refuses to pay, the City may make this payment to the tenant. Determinations and payments handled by HCD.



Current Housing and Community Development Initiatives Underway to Protect Tenants from Displacement:

Rent Adjustment Program

- **Education** – Conducted six (6) Tenant’s Rights Workshops to inform tenants of local and state housing laws including Oakland’s Just Cause for Eviction Ordinance (OMC 8.22.300), which does not permit landlords to evict tenants merely because of an outstanding Notice of Violation (NOV).
- Expanded Drop-In Counseling Hours for Tenant & Property Owners from 12 to 24.5 Hours per Week
- Created Oakland Guide to Rent Control, New Tenant & Property Owner Packets and 12 New Information Sheets Regarding Rights under State and Local Laws



Community Outreach Efforts to Prevent Tenant Displacement as Result of Notices of Violation: ***Rent Adjustment Program***

- Partnered With Housing & Economic Rights Advocates to Provide Counseling to Property Owners on Evictions & Other Responsibilities
- Presented at workshops targeting the African American Community in East & West Oakland
- Partnered With Centro Legal De La Raza To Conduct Tenant Workshop In Spanish & with ACCE for Weekly Counseling in Fruitvale District
- Staff attended 13 community outreach events, including Art + Soul, Dia de los Muertos, and the Chinatown Street Festival where they provided onsite housing counseling to both property owners and tenants.



Additional Information

- Notice of Violations available to public at <https://aca.accela.com/OAKLAND/Cap/CapHome.aspx?module=Enforcement&TabName=Enforcement>
- Detailed source data reports to search by Council District are available at <https://www.oaklandca.gov/documents/city-of-oakland-quarterly-building-code-enforcement-reports>
- Key Performance Indicator Reports are available at <https://www.oaklandca.gov/documents/planning-and-building-department-key-performance-indicators>



Questions?

Quarterly Code Enforcement Report FY 2018-2019 Quarters 2 – 4 (October 2018 – June 2019)



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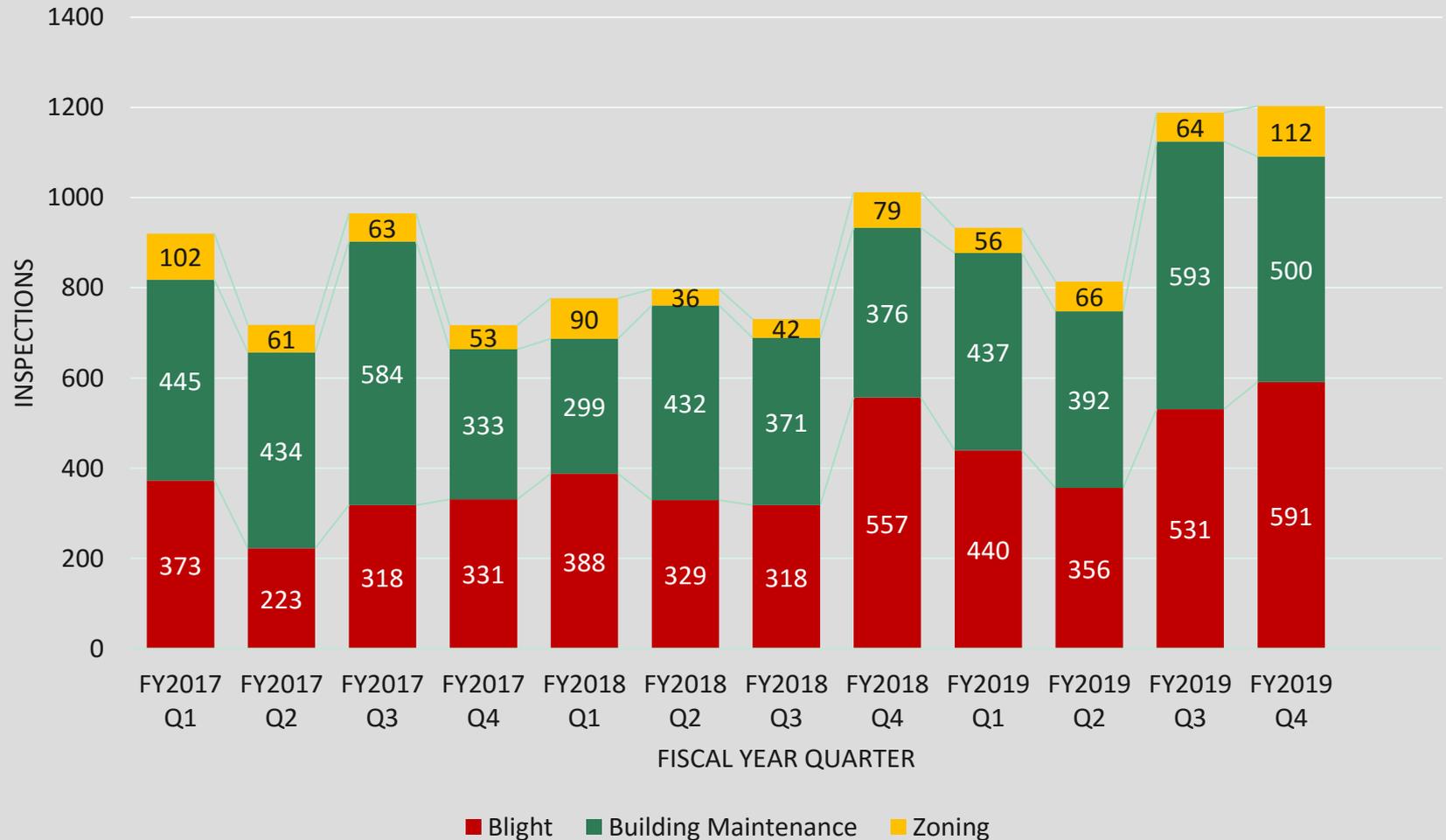
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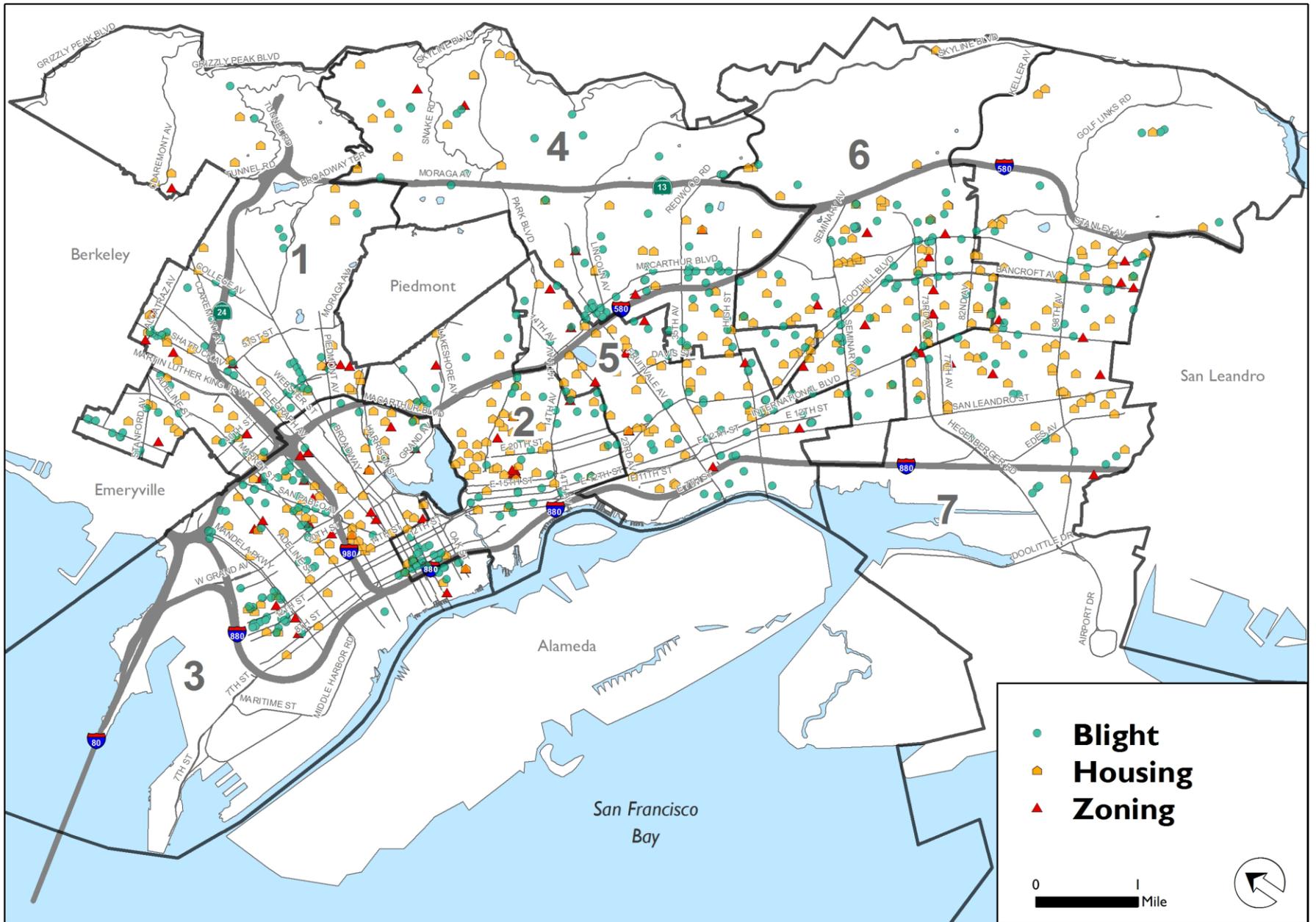
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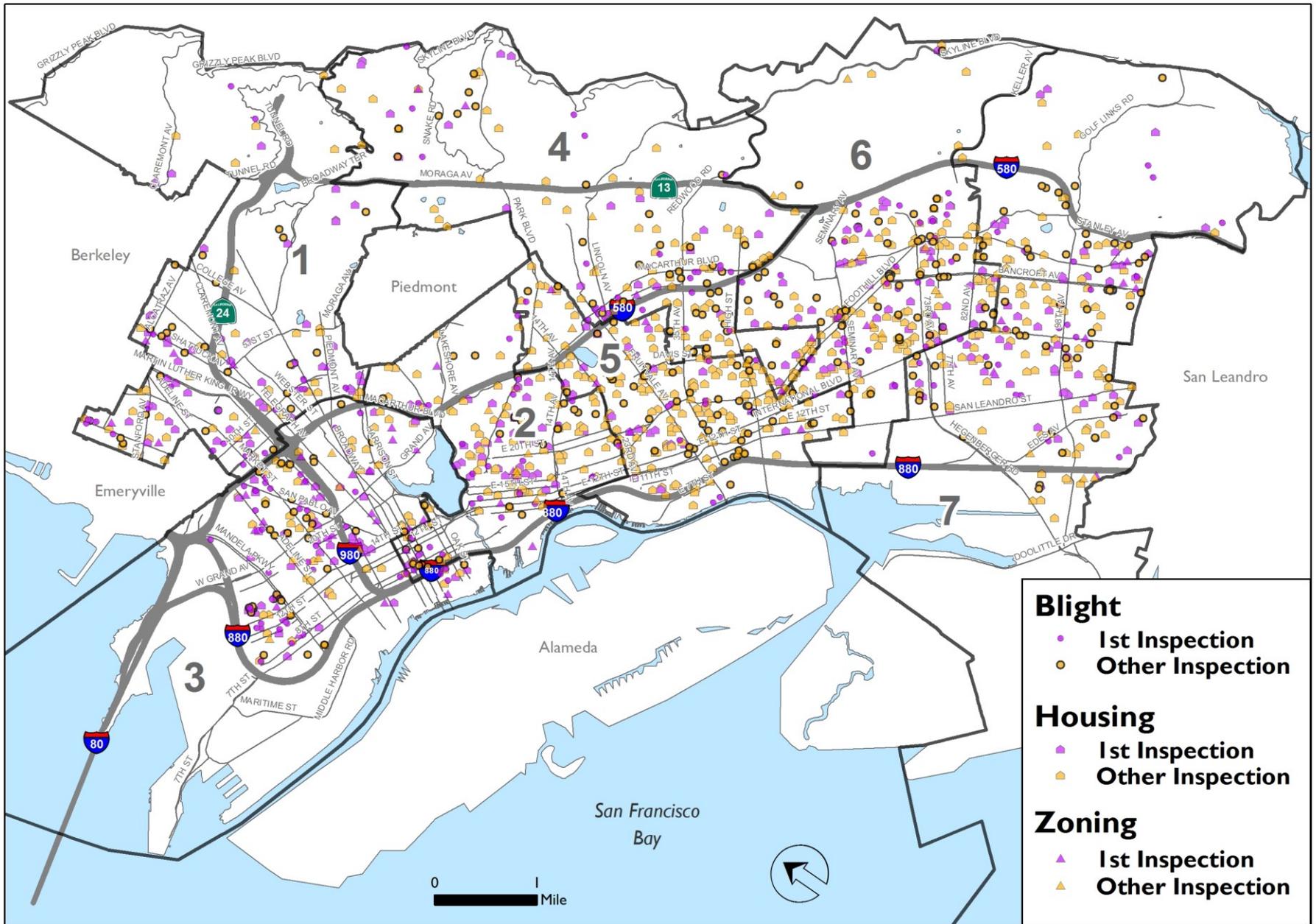


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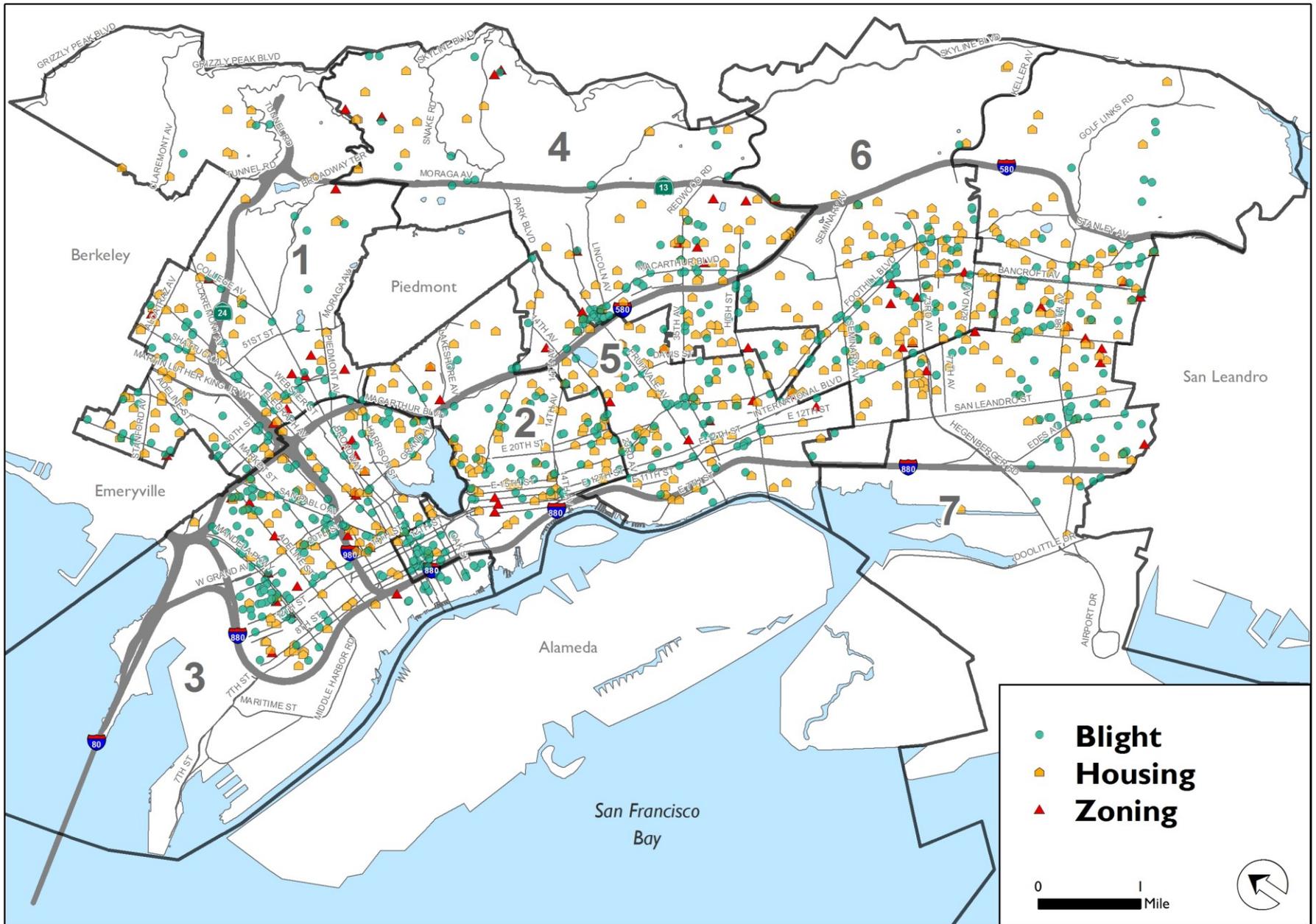




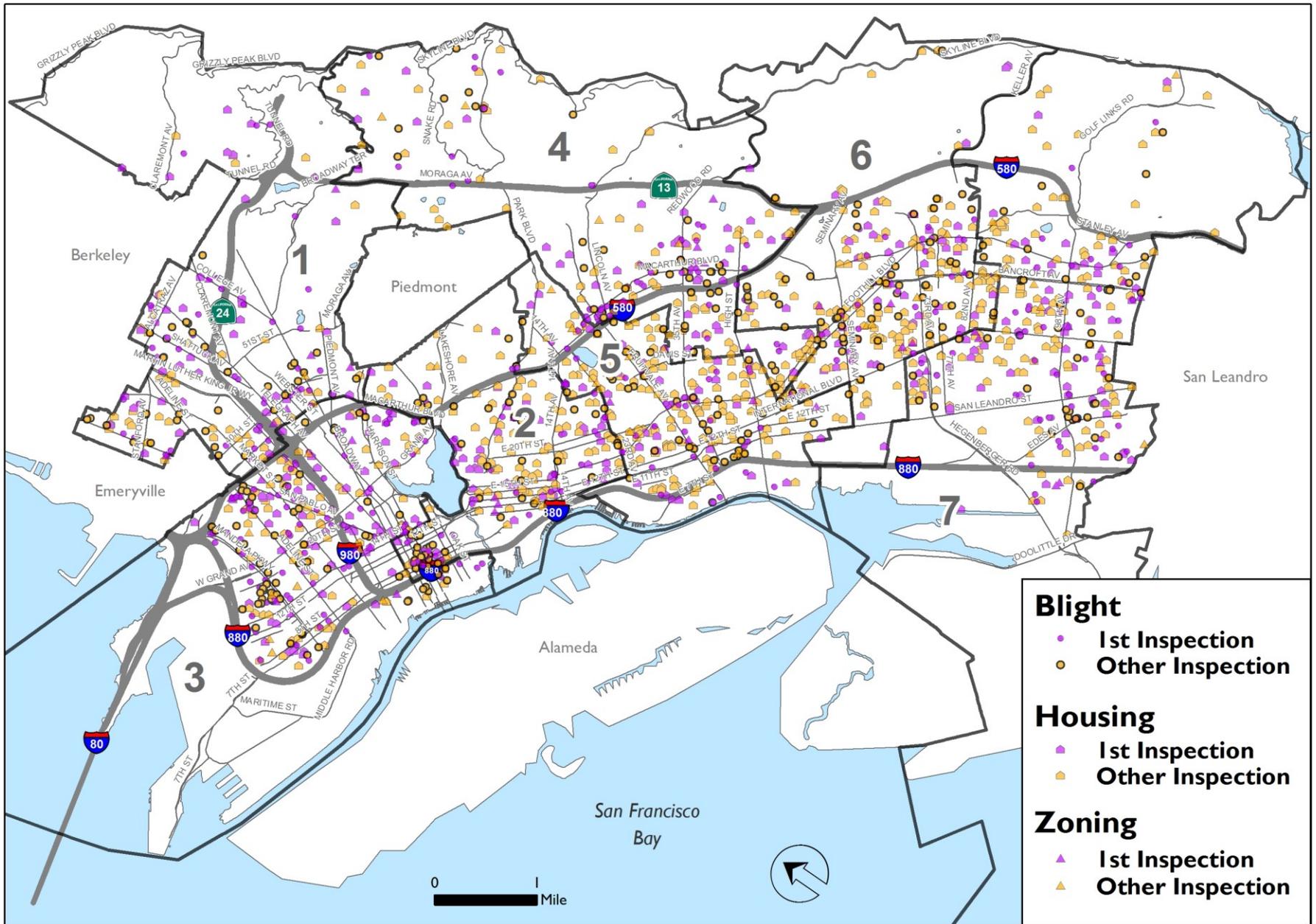
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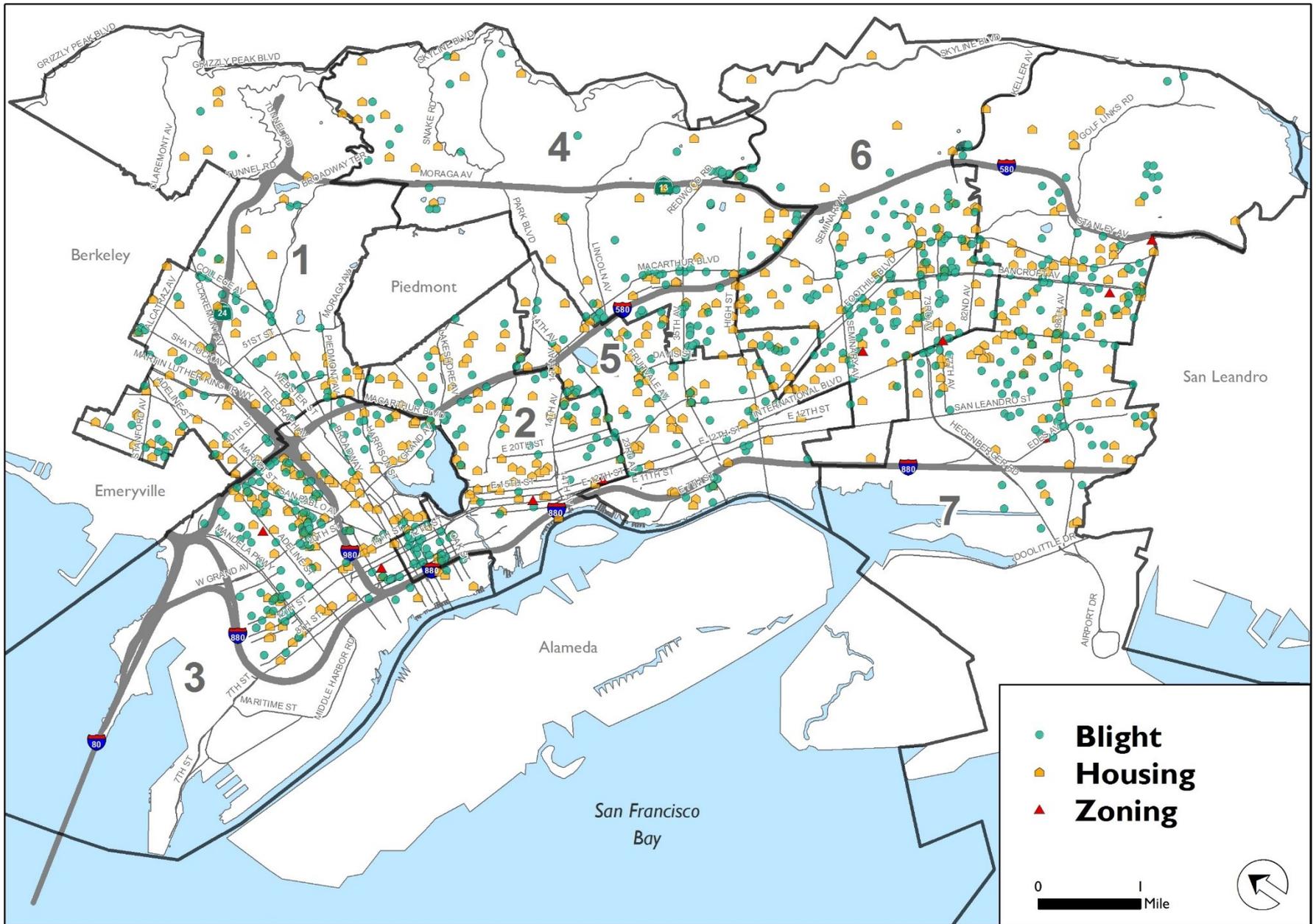
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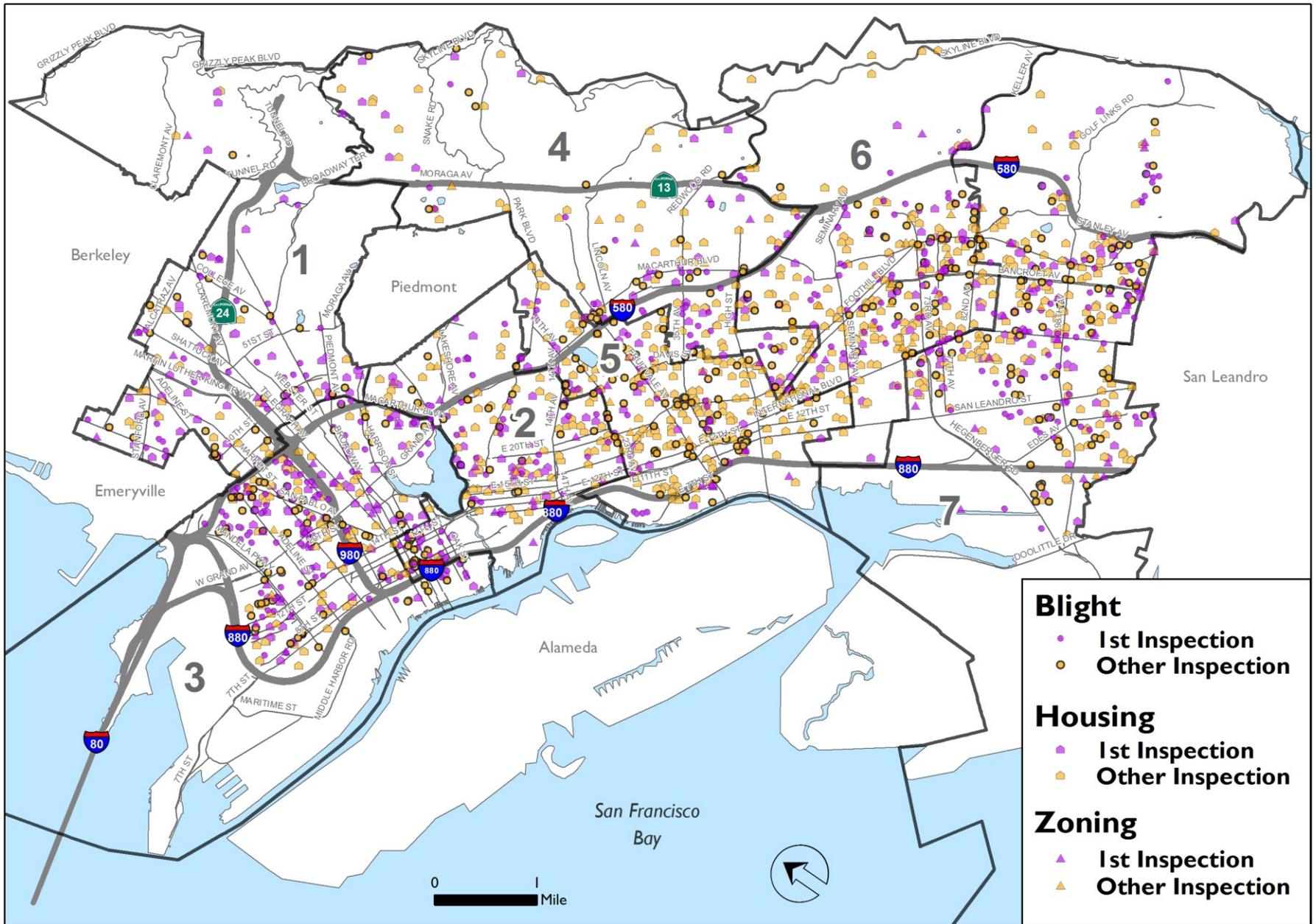
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Questions?