



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building



Date: October 23, 2013
Board Meeting Date: November 5, 2013
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Jim Eggemeyer, Community Development Director

Subject: Ordinance to add Code Compliance position.

RECOMMENDATION:

Introduction of an ordinance amending the Master Salary Ordinance adding a Code Compliance position and waiver of reading the ordinance in its entirety.

BACKGROUND:

The Planning and Building Department's Code Compliance Section works with County residents, businesses, and property owners to resolve violations of the County's zoning, grading, property maintenance, and tree removal regulations. In recognition of the importance of this program and the resources required for its effective administration, your Board recently added \$120,000 to the Code Compliance budget for fiscal years 2013-15. As suggested at the budget hearings, the Department has conducted an analysis of staffing and resource needs in order to determine the best use of the additional funding. Based on this analysis, the Department proposes to hire an additional Code Compliance Officer, and to institute the process improvements described below.

DISCUSSION:

A. Staffing Options

On September 27, 2013, the Planning and Building Department hosted a meeting of County staff to discuss the Code Compliance process and the different ways in which the additional funds can be applied to improve the process. Staff from the Planning and Building Department, including all three existing Code Compliance Officers, the County Managers Office, and the five Supervisorial Districts contributed to the discussion, which focused on the following alternatives:

- Hire an additional Code Compliance Officer to increase the number and timeliness of inspections, as well as the rate at which violations are resolved;

- Hire an Administrative Assistant to input data, respond to telephone calls and emails, and keep interested parties informed about the status of active Code Compliance cases;
- Establish a Code Compliance Ombudsman to provide technical assistance to property owners regarding the specific steps required to resolve violations.

The participants agreed that hiring an additional Code Compliance Officer, coupled with minor adjustments to Code Compliance administration, would best enhance program efficiency and effectiveness. As described below, the proposed adjustments would accomplish some of the same benefits that might otherwise be achieved by hiring an Administrative Assistant or Ombudsman, while increasing the Department's presence in the field.

B. Organizational Changes

The increasing volume of complaints and the need to promptly respond to them, along with ongoing needs to provide status updates, maintain accurate data and records, prompted staff to consider the hiring of an office-based Administrative Assistant who would address these needs. However, existing Code Compliance Officers expressed a desire to retain ownership of the administrative aspects of their cases, and indicated that they are adequately equipped to attend to these duties. The upcoming launch of an improved case tracking system (Accela Automation) that will be accessible to the public via the internet will enhance the Department's ability to share information quickly. The Department will be offering a training course in the use of this system to the Board of Supervisors' staff members, and will provide links on its website that directs the public to this tracking system.

To ensure the Department promptly acknowledges complaints and provides current information on-line, by phone, and at the counter, it proposes to establish a rotational "office duty" function, pursuant to which at least one Code Compliance Officer will be present at the Planning and Building Department offices, every day of the workweek. This officer will be responsible for returning phone calls, responding to emails, providing status reports, responding to inquiries at the counter, and keeping the data contained in records and databases up to date. He or she will also be a resource to officers in the field who need assistance meeting established timeframes for processing complaints and entering data into the on-line tracking system.

As noted, the option of establishing a Code Compliance Ombudsman was also discussed as a way to provide assistance to property owners regarding the specific steps required to resolve violations. This suggestion was made in recognition of the fact that the resolution of some zoning violations requires an in-depth knowledge of technical regulatory and construction issues, as well as the ability to identify and analyze alternative solutions.

Although Planning and Building staff cannot advocate for property owners or prepare plans on their behalf, the Department's Senior Planners have the knowledge and ability to identify the choices that need to be made, and the steps that need to be taken, in order to resolve violations of the County's zoning regulations. Rather than establish a new position for this purpose, the Planning and Building Department will be taking steps to enhance coordination between Senior Planners and Code Compliance staff in order to enhance its ability to provide cooperative property owners with clear direction.

C. Next Steps

Should the Board of Supervisors adopt the ordinance, the Planning and Building Department will immediately initiate the Code Compliance Officer recruitment, and the organizational changes described above. The Department will monitor how these changes affect the performance of the Code Compliance Section, and will report its findings to the Board, along with any suggested adjustments, at future budget hearings.

County Counsel has reviewed and approved the materials as to form.

The proposed use of the additional Code Compliance funds contributes to the 2025 Shared Vision outcome of a Livable Community by enhancing the Planning and Building Department's ability to achieve compliance with the regulations it is responsible for enforcing.

PERFORMANCE MEASURES:

Measure	FY 2012-13 Actual	FY 2013-14 Target	FY 2014-15 Target
Complaints acknowledged within 24 hours of receipt	NA	100%	100%
Case action updates logged into Accela within 24 hours	NA	100%	100%
Site inspections conducted within 3 days following receipt of complaint	NA	100%	100%

FISCAL IMPACT:

Funds have already been appropriated for Fiscal Years 2013-2015. There are no additional fiscal impacts.

ATTACHMENT:

A. Code Compliance Officer II Job Description

Class Title:	CODE COMPLIANCE OFFICER II
Bargaining Unit:	
Class Code:	R005
Salary:	\$27.26 - \$34.08 Hourly \$2,180.80 - \$2,726.40 Biweekly \$4,725.07 - \$5,907.20 Monthly \$56,700.80 - \$70,886.40 Annually

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Definition Benefits

Under general supervision, perform duties to assure compliance with various land use related codes and ordinances; investigate and enforce applicable laws, regulations, and ordinances related to various land use matters, such as zoning violations, weed abatement, public nuisances, property maintenance, and abandoned vehicle abatement; process citizen complaints, perform skilled investigative research, conduct site inspections, issue notices of violation and citations; maintain records of inspections, write letters and reports, draft inspection warrants, may appear in court, and coordinate with County staff regarding possible health, building code, or fire violations. Position requires extensive public contact, particularly when investigating complaints and recommending corrective actions.

DISTINGUISHING CHARACTERISTICS

Code Compliance Officer I is the trainee level in the Code Compliance series. Incumbents at this level perform routine duties under immediate supervision. They provide information services to the public on codes and ordinances related to various land use regulations. They conduct investigations and research possible violations in response to public complaints. Code Compliance Officers I assist in determining appropriate disposition of outstanding cases, issue citations for infractions, prepare and present code violation cases, and collect and compile data necessary to prepare a variety of reports. They also learn County and Departmental policies and procedures as well as codes, ordinances and regulations that relate to zoning, nuisance, and property maintenance.

Code Compliance Officer II is the fully experienced journey level class in the series. Under general supervision, incumbents at this level perform skilled investigative work involved in the administration and enforcement of County codes and ordinances. Incumbents at this level are responsible for the field investigation work involving enforcement of land-use codes and ordinances on zoning, subdivisions, and abandoned vehicles. They investigate violations, conduct periodic inspections and attempt to obtain voluntary compliance in cases of violations. They prepare reports and a variety of public correspondence. This level is distinguished from the next higher level of Senior Code Compliance Officer by the level of full range of supervisory

and project management duties performed.

Examples Of Duties:

Duties may include, but are not limited to, the following:

- Investigate alleged code violations in response to public complaints.
- Identify and investigate violations observed while in the field.
- Process cases in accordance with procedures and standards of the Planning and Building Division and in accordance with state and local laws.
- Issue notices of violation and citations.
- Initiate coordination with other County departments and governmental agencies in processing cases.
- Maintain complete and accurate records.
- Prepare various summary reports.
- Interview property owners, neighbors and others to obtain necessary information.
- Negotiate action plans with property owners to abate nuisances.
- Refer to appropriate County officials suspected violations of health, building, fire, or zoning codes and ordinances.
- Present cases to hearing officer in charge of appeals.
- Initiate summary abatement process for cases where voluntary compliance is not obtained.
- Coordinate the summary abatement process including selecting contractors and monitoring their performance.
- Perform related duties as assigned.

Qualifications:

Note: The level and scope of the knowledge and skills listed below are related to job duties as defined under Distinguishing Characteristics.

Knowledge of:

- Principles and practices of code enforcement and officer safety, such as those obtained through seminars, workshops, or certification courses from CACEO, SCACEO, or equivalent organization or association.
- Local and state laws, ordinances and codes regulating public nuisances, zoning, health and fire safety.
- Safety and fire prevention methods.
- The organization of local government and concepts of public administration.
- Research and statistical methods and sources of data.
- Mathematical principals, tools and practices.
- Techniques, symbols, and language used in planning, drafting, and mapping.
- Modern office equipment, including computer and applicable software.

Skill/Ability to:

- Learn laws, codes and regulations and interpret their application.

- Negotiate and obtain agreements.
- Work independently and as a member of a team.
- Coordinate an enforcement program or public service function.
- Recognize the key importance of interacting with suspected violators, including property owners, and their unique situation in problem resolution and information giving situations.
- Work cooperatively and effectively with the public and co-workers.
- Work well individually and as a member of a professional and technical team and individually.
- Produce comprehensive, clear and concise reports, memos, letters, staff reports and major studies which are accurately researched, focused on essential information, reflect an appropriate level of analysis, and demonstrate objectivity.
- Explain policy and procedures to the public and staff.
- Type and perform general data entry functions.

Licensure/Certification:

- Possession of a class C California driver license or equivalent.
- Possession of POST 832 P.C. Arrest Course certificate either at the time of employment or no later than six months after the date of employment.

Education and Experience:

Any combination of education and experience that would likely provide the required knowledge, skills and abilities is qualifying. A typical way to qualify is:

Code Compliance Officer I: College level coursework in planning, law, public administration, law enforcement, or related field and two years of experience in a position involving public contact which provides the knowledge and skills identified.

Code Compliance Officer II: College level coursework in planning, law, public administration, law enforcement, or related field and two years of experience, in a position equivalent to a Code Compliance Officer or related field, involving public contact which has included responsibility for interpreting Planning and Land Use regulatory information and making presentations.