

MINUTES

OF THE

**SACRAMENTO CITY COUNCIL
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO
HOUSING AUTHORITY OF THE CITY OF SACRAMENTO
ECONOMIC DEVELOPMENT COMMISSION
PARKING AUTHORITY OF THE CITY OF SACRAMENTO
SACRAMENTO CITY FINANCING AUTHORITY**

REGULAR MEETING

AUGUST 11, 1998

CALL TO ORDER

The Regular Meeting of the Sacramento City Council was called to order by Mayor Serna at 7:05 p.m. on the above date in the City Council Chamber located at 915 I Street.

ROLL CALL

Present: Council members Cohn, Fargo, Hammond, Kerth, Pannell, Steinberg, Waters, Yee and Mayor Serna

Absent: None

PLEDGE OF ALLEGIANCE was led by Mayor Serna

9.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS

None

10.0 PUBLIC HEARINGS

- 10.1 Bi-Valley Medical Clinic Office expansion; entitlements to allow a methadone clinic to expand for additional accounting offices at 310 Harris Avenue, APN:250-0027-012 (P98-044) [Call Up item by Council member Kerth][Item withdrawn from agenda 6/4/98, item 10.1 for re-noticing purposes] (D-2)

This item was withdrawn for re-noticing.

11.0 STAFF REPORT/WORKSHOP

- 11.1 Code Enforcement Issues. (D-All)
- A. Code Enforcement Re-engineering and Neighborhood Improvement Strategies.
1. Approve restructuring of the city code enforcement function and return staffing to the level prior to the separation of those divisions in July 1997;
 2. Combine the existing housing and dangerous buildings unit with the code enforcement unit;
 3. Approve the formation of a "code action team";
 4. Approve the addition of 8.0 FTE positions at a cost of \$529,000 for staff and related supplies; and

5. Direct staff to report back on demolition fund, fee study, proposed ordinances, and program implementation.
- B. City Attorney's Report on Code Enforcement.
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Jack Crist, Deputy City Manager, informed the Council that staff was proposing new code enforcement strategies in which citizens and city staff work together as partners; and a new vision or City goal that by July, 2008, every neighborhood in the city would be in a stable and healthy status from a quality of life standpoint.

Mr. Crist said a steering committee, comprised of two Deputy City Managers, six city departments and SHRA was established to develop strategies to attain this ambitious goal. These strategies included: (1) increase citizen participation through involvement with the city code enforcement team; (2) creation of four neighborhood revitalization teams modeled after the Council District 2 system in place; (3) creation of a special code action tem; (4) reorganization of the code enforcement and housing and dangerous building functions; and (5) development of neighborhood specific revitalization plans.

Mr. Crist said the current system: (1) has a passive, reactive mode of operation; (2) lacks a uniform system of feedback; (3) lacks accountability and reporting; (4) experiences frequent complaints; (5) has a lack of measurement of success; (6) lacks a unified goal of focus; and (7) lacks strong prevention strategies.

Mr. Crist showed the proposed organizational chart and discussed what would be different including teamwork between the departments and SHRA, clear lines of authority, flexible work schedules, streamlined processes, and a pro-active and aggressive attitude.

According to Mr. Crist, Max Fernandez, Area Manager, would be responsible for the overall code enforcement system. There will be a code enforcement team and four area neighborhood revitalization teams, unique to each area, that will respond to emergencies and have a contract attorney. Eight new positions would be needed in the budget to effect these changes.

Mr. Crist said the steering committee would monitor the progress of these teams on a regular basis. He directed Council to the financial information on page 10 of the report, and said the department's budget would have to be increased by approximately 12% or \$529,000.

In summary, Mr. Crist said the message was accountability, and measurement of the process. The community would be involved in the measurement. Staff strongly believed that these recommendations for reorganization would reduce crime, produce safer, better neighborhoods, and increase property values.

Mr. Crist turned the discussion over to David Martinez, Deputy City Manager, who spoke about the City's strike force activities. He said the purpose of strike forces was to demonstrate effective use of multi-disciplinary teams who focus their resources, and partner with community groups and other agencies to problem solve and improve neighborhoods.

Mr. Martinez spoke of the strike force's activities which included: alley clean up; curb painting; cleaning sewers and gutter drains; painting fire hydrants; graffiti abatement; parking enforcement; abatement of dangerous buildings; weed abatement; and park clean up.

Mr. Martinez said that during strike force week, July 27th-August 1st, in District 2, 7 alleys were mowed and cleared; all traffic/stop sign legends were painted; 142 utility maintenance holes were serviced and sprayed for cockroaches; 27,000 linear feet of sewer main was serviced; 180 gutter

drains were cleaned and serviced and 42 fire hydrants were painted and serviced. Also in District 2, 21 parking citations and warnings were issued; 20 vehicles were tagged for towing and 12 were towed; 10 citations were issued for expired registrations and 81 private property code violations were initiated. Police were able to make 20 felony, misdemeanor and warrant arrests; assist with one Child Protective Services case; and seize one handgun and \$5,000 in assets related to drug arrests.

In District 5, on the first day of the strike force, 6 alleys and 6 lots were cleaned; 46 stop signs and 25 fire hydrants were painted; 30 drainage culverts serviced; 33 gutters and drains cleaned; and 72000 feet of sewer mains were serviced. Staff was requesting Council to direct them to integrate the strike force process into the new team structure; to schedule future strike forces; and to report back on schedule and funding costs.

Sam Jackson, City Attorney, briefed the Council on how his office handled code enforcement matters. He said he was aware that his office had been accused of taking too long to process code enforcement matters, and of the allegation that some cases sit for months without action, or are being unnecessarily returned to the investigating department for additional evidence or compliance with due process. Because cases were being returned, the office was accused of being too cautious or of being more concerned about the due process rights of the nuisance offender than the neighbors.

According to Mr. Jackson, for the past three years, his office had made significant improvement in the turn around of cases and in communicating with code enforcement staff as to case work-up deficiencies.

Mr. Jackson said he had instructed his staff to contact each Council member for a drive-through tour of each district to view significant public nuisances which warrant great and immediate attention. The Senior Deputy City Attorneys for both the Advisory Section and the Litigation Section of his office would also go on the district tours. Each Council member would be requested to have his or her administrative assistant prepare a list of the district's five worst public nuisances and transmit the same to the City Attorney and the Deputy City Manager who oversees code enforcement. They would be evaluated to determine whether they qualified for simultaneous civil, administrative and criminal sanctions. Mr. Jackson said every effort would be made to strike a balance between the Council districts. However, the gravity of the problem would dictate which cases would rise to the top of the list.

Statistically, the Advisory Section of the City Attorney's office handled 1,745 assignments in 1997, of which 220 or 12.6% were code enforcement matters. In 1998, 12.53% of assignments were code enforcement related. The Litigation Section of the office handled 172 cases of which 26 or 15.11% were code enforcement cases. In 1998, 20 of the 219 cases involved code enforcement issues, which equated to 9.13%.

Mr. Jackson spoke about surveying City Attorney offices in other cities to determine how Sacramento compared with the handling of code enforcement cases. He also discussed the use of civil and administrative penalties and how they were determined by staff, and said that contrary to the assumption of some neighborhood groups, the Social Nuisance Code was still an enforceable ordinance. However, due to loss of funding and reduction of staff, there had been no concentrated effort to prepare enforcement actions in this area.

Mayor Serna referenced the organizational chart presented by Mr. Crist and asked Mr. Jackson if the legal representative would be an attorney or a law clerk.

Mr. Jackson replied it should be a contracted attorney who could devote specific time to code enforcement issues. He added that any attorney from his office would take direction from him, and not from the City Manager.

Councilman Kerth thanked Mr. Jackson for his presentation and said that code enforcement was a City problem, not just one department's responsibility. He said currently, code enforcement was not working.

Mayor Serna commended the City Attorney and his staff for their good work with this problem, and said any criticism of the City Attorney's office was unwarranted.

Councilman Cohn stated that citizens get emotionally charged about code enforcement issues. He stressed the importance of working as a team and having measurable benchmarks.

Mayor Serna stated that no amount of legal threats would deter the City from enforcing its codes.

Councilwoman Hammond asked for clarification of civil penalties and how the City could avoid being counter-sued.

Mr. Jackson replied that his staff would be getting information to the code enforcement staff as quickly as possible to avoid any problems.

Ms. Hammond asked about the status of the list of slum lord properties that she had sent to staff.

Mr. Jackson replied he had requested code enforcement to initiate proceedings.

Councilman Waters asked Mr. Jackson if he had any conflicts with the code enforcement plan proposed by the City Manager's staff; Mr. Jackson responded no he did not.

Mr. Waters spoke about creating an ordinance that would consider requiring a business license to rent property. If the owner of the property did not comply with code enforcement, his license could be pulled and he would not be able to rent the property.

Mr. Waters also spoke about making it easier for the City to lien neglected properties, and for the City to donate these properties to non-profit agencies.

Councilwoman Fargo stated that she wanted people to know that the City had some "teeth" in its ordinances, and would enforce them strictly.

Councilman Steinberg said he was pleased that the proposed plan addressed so many issues. He said he liked the proposal of a contract attorney as he felt the attorney would be able to act with more independence because his primary responsibility would not be tied to the City Attorney's office.

Mr. Steinberg said he also felt that cases needed to be prioritized in order to have the most impact on the really negligent property owners.

Mr. Jackson recommended that the Council member's administrative assistants assemble a list of the ten worst properties in the City.

Mr. Steinberg inquired about social nuisance problems.

Mr. Jackson replied that the Police department was still working on this issue.

Mr. Cohn requested statistics from Mr. Martinez on the amount of time needed to resolve cases and track property values.

Mr. Martinez replied he would set up a reporting system of measurement that would also include crime statistics.

Mayor Serna asked if additional funding would be required. Mr. Martinez replied staff would work as a strike force and use its resources more wisely.

Ms. Hammond thanked everyone who worked on the Oak Park and Colonial Heights clean-ups. She also commended Mr. Crist for his re-organizational ideas.

Mr. Kerth also commended Mr. Crist for his plan. He suggested using utility bill inserts to educate Sacramento citizens on code enforcement.

Councilwoman Pannell asked Mr. Crist if his team would send letters to code violators; Mr. Crist replied yes, they would.

Ms. Pannell stated that Mr. Jackson staff had done a great job. She said District 8 needed a strike force effort.

Public Testimony:

Carol Carter spoke of her concerns with absentee slum landlords. She said she favored a dedicated attorney who knew the codes and could be aggressive in dealing with this issue.

Shirley Johnson, representing CARE, thanked the Council for their efforts, and said she liked Councilman Waters' idea of requiring a license for landlords. She encouraged the Council to call upon her organization for assistance.

Anne Marie Flores requested Council to support staff's proposal.

Peggy Tapping, from Children First Network, spoke in support of staff's proposal and said she had worked with NAAG to clean up the worst areas of her neighborhood.

Bill Snyder, Ken Wemmer, and Don Meyers spoke in support of staff's recommendations.

Lotar Lampe thanked everyone who helped out on the strike force in Oak Park.

Sheena Wolf spoke in favor of Councilman Waters' recommendation to require a license for landlords, and recommended code enforcement education in the City schools.

Bob Odom thanked staff for the clean-up of the City's alleys. He recommended offering incentives to landlords to clean up their properties.

Karen Jacques, representing Winn Park Neighborhood Association, recommended a coordinated computer program to track enforcement efforts among the various City neighborhoods.

Oscar Bautista thanked staff and Council for their efforts and suggested that neighborhood associations identify problem areas.

Ernie Lehr recommended adding citizens to the organizational chart and appointing a council oversight committee to review the plan, as he said it was unrealistic.

Mr. Cohn recommended regular status reports to the Council.

Ms. Pannell asked how the community would provide input. Mr. Crist replied staff would invite community members from each of the areas to work on this issue.

Mr. Waters requested a report back on his suggestion to require licensing for landlords.

A motion was made by Councilwoman Hammond, seconded by Councilman Kerth to adopt Resolution 98-409 related to code enforcement strategies. The motion carried with a 9-0 roll call vote.

RESOLUTION 98-409

RESOLUTION APPROVING THE RESTRUCTURING OF
THE CODE ENFORCEMENT AND HOUSING AND
DANGEROUS BUILDINGS DIVISIONS; APPROVE
ADDITIONAL STAFF POSITIONS AND FUNDING

12.0 SHRA

None

13.0 COUNCIL IDEAS AND QUESTIONS

13.1 Councilman Cohn announced that the closed section of H Street would be reopened for traffic on Monday, August 17th.

14.0 CITIZENS ADDRESSING COUNCIL AGENCY OR AUTHORITIES BY PERSONAL APPEARANCE OR TELEPHONICALLY ON MATTERS NOT ON THE AGENDA

14.1 Max Mendoza called about his concern regarding the lack of sidewalks on the north side of 47th Avenue.

Councilwoman Hammond replied that she had spoken to Mr. Mendoza previously, and that the section of 47th Avenue was in the County, not the City.

14.2 Carol Blalock called to state that she had approximately 20 rolls of film of neighbors' property that was in violation of City codes.

Mayor Serna recommended that she send the film to Mr. Martinez in the City Manager's office.

15.0 ANNOUNCEMENTS

None

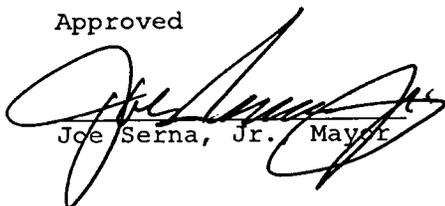
ADJOURNMENT

There being no further information to come before the Council, the meeting was adjourned at 10:55 p.m.

Submitted


Valerie A. Burrowes, City Clerk

Approved


Joe Serna, Jr. Mayor