



County of Santa Cruz

PLANNING DEPARTMENT

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ALVIN D. JAMES, DIRECTOR

September 26, 2001

Agenda: October 2, 2001

Board of Supervisors
 County of Santa Cruz
 701 Ocean Street
 Santa Cruz, California 95060

SUBJECT: Status Report on Code Compliance Investigations

Members of the Board:

Background

During discussion of the Planning Department's budget last June, your Board expressed concerns about the timely resolution of the more complex code compliance cases, and the effectiveness of our legal actions. Your Board directed the Planning Department to return with a last day report describing the code compliance process and the target time lines for enforcement. In our follow up report which your Board considered on June 26th, we presented your Board with an "idealized" code compliance process from receipt of complaint to referral to County Counsel's Office. We also included information about the additional steps and time required to get a case before the Hearing Officer. During discussion, we indicated that our goal was to process unresolved cases within 120 days, or approximately 4 months, from receipt of complaint to referral to County Counsels' Office.

After some discussion, your Board directed the Planning Department and County Counsel's Office to return on August 28th with further information on the number of cases that take longer than 120 days to refer for legal action, the reasons for delay beyond the 120 day standard, the experience with the Courts, and any further recommendations to improve the effectiveness and efficiency of the enforcement system. This report was continued to your October 2nd agenda.

ANALYSIS AND DISCUSSION REGARDING THE 120 DAY REFERRAL STANDARD

As presented in our June report, there are many steps in the typical enforcement process, some of which are under our control in terms of the time to complete a given task, and some of which are outside of our control. Examples of the former are file preparation, field investigations, and preparation of reports and correspondence; examples of the latter are required legal notice periods, including appeals. If resolution is not obtained through our initial efforts to obtain compliance (including sending

a notice of violation to the property owner and recording such notice with the County Records Office), a routine referral is made to County Counsel's Office to schedule the matter for Administrative Hearing --- a process which typically takes approximately 4 months.'

It should be noted that the 120 day standard, (from receipt of complaint to referral to County Counsel for hearing), was developed last year as part of our efforts to improve the enforcement process. It was to be programmed into ALUS as a method for implementing internal changes and documenting, via computer system improvements, our efforts to process enforcement cases in a more timely fashion. The initial effort to revise ALUS to include these changes proved too costly and time-consuming. Therefore, the Planning Department and the Information Services Department are working collaboratively to integrate the new standard and related procedures into the ALUS Change of Platform project authorized by you Board as part of the department's budget.

To assess our success in meeting this 120 standard from receipt of complaint to referral for legal action, we reviewed all of the new cases over a six month period, from November, 2000 through and including April, 2001. *(The 120 day or 4 month target referral period for cases received at the end of April would have just ended in late August).* Here are our findings:

	<u>#</u>	<u>%</u>
COMPLAINTS RECEIVED 11/01/00-04/30/01	412	
DEFERRED MINOR OR INVALID COMPLAINTS	(123)	
INVESTIGATIONS STARTED	289	100%
VIOLATION RESOLVED	(146)	51%
UNRESOLVED VIOLATIONS	143	100%
SITE INSPECTION, NOTICE ISSUED, RECORDED	127	09%
INVESTIGATIONS PENDING	16	5%

As indicated, over 50% of the new investigations were resolved through the initial enforcement process such that a referral to County Counsel's Office was unnecessary. Of the cases that were not resolved within the first 120 days, enforcement efforts are underway in 89% of those cases. Notices of Violation have been issued, and many have been recorded. Recording a notice of violation prevents a property owner from selling their property to an unsuspecting buyer, and can complicate real property and related financial transactions. This is intended to motivate owners to resolve their violations.

While a significant number of cases were resolved, and enforcement efforts are underway on those that have not yet been resolved, the department is not meeting the optimal target for referring unresolved cases to County Counsel's Office. Planning staff and County Counsel are in the process

of assessing the factors contributing to the rate of transition from unresolved violations to referrals. We are in the process of examining both the number of cases and the referral process, however, additional time is needed. In order to provide your Board with a more definitive evaluation, we propose to bring a more comprehensive report on October 23rd for your Board's consideration with recommendations as appropriate.

OUR EXPERIENCE WITH THE COURTS

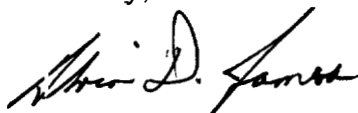
Your Board also asked for a report in conjunction with County Counsel's Office regarding our experience with the Courts. Our October 23rd report will include information regarding Court cases over the past 18 months, and will include appropriate recommendations in this area as well.

RECOMMENDATIONS

It is therefore RECOMMENDED that your Board:

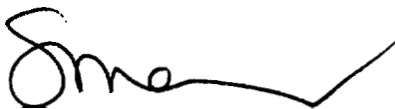
1. Accept and File this report on Code Compliance Investigations; and
2. Direct Planning to provide your Board with a further report on your October 23rd agenda.

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED:



Susan A. Mauriello
County Administrative Officer

cc County Counsel