

Code Enforcement Annual Report FY22-23

Neighborhood Services and Education
Committee

April 11, 2024

Presented by Rachel Roberts, Deputy Director



*Planning, Building and
Code Enforcement*

Mission and Core Values

Work in partnership with the people of San José to promote and maintain a safe and desirable living and working environment

Safety

Respond to health and life-safety complaints within 24-72 hours

Quality of Life

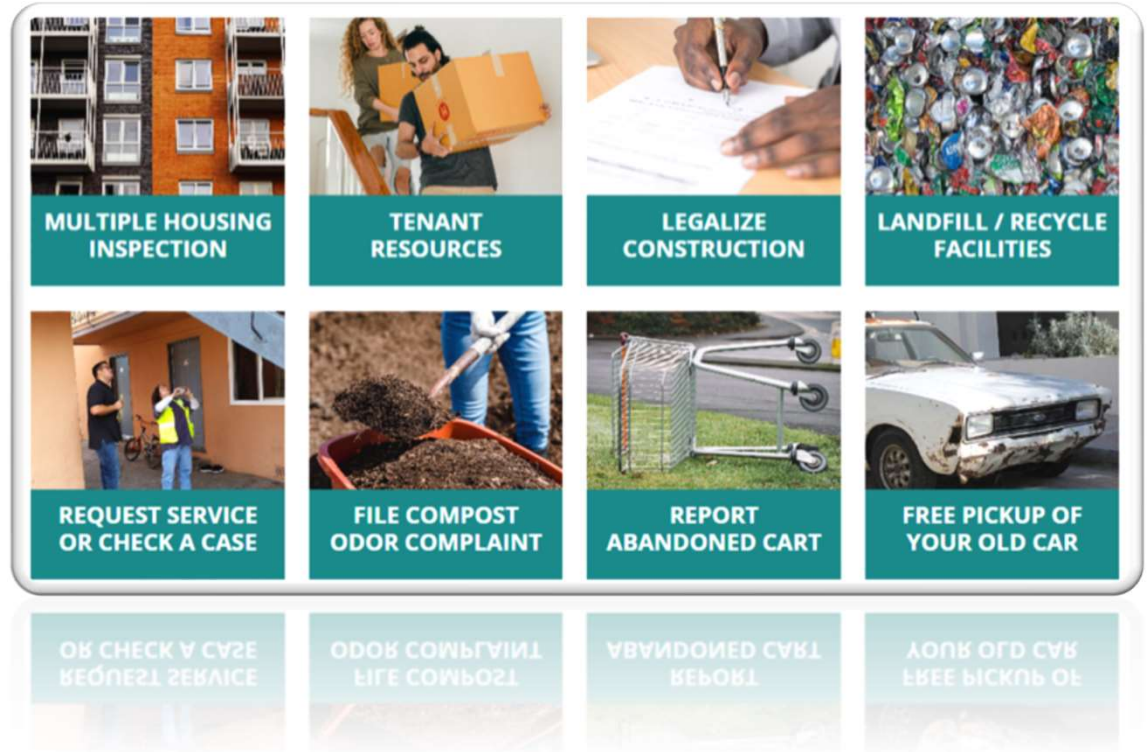
Work with property owners, residents, and other stakeholders to resolve blight violations and other quality of life issues

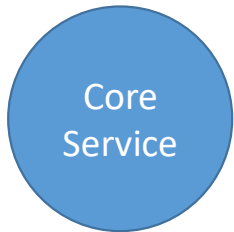
Working Together

Communicate, collaborate & problem solve with internal and external stakeholders to achieve compliance

Scope of Services

- Inspect, investigate, and enforce various San José Municipal Codes on private property (*Do not enforce on public buildings or properties*)
- Ensure health, safety, and quality of life
- Core Services- Multiple Housing and General Code Program
- Eight Special Programs
- Provide support to other City Departments and local agencies
- Supported by fees, grants, and general fund
- 70 FTE, 13+ million budget





Multiple Housing Program

Scope

Ensure safe, decent, sanitary housing

Buildings with 3+ dwelling units including apartments, hotels/motels, fraternities/ sororities, and SROs

6,700 buildings and 103,000 units (increase in 19,000 units in the last 10 years)

26.3% of the current open active caseload (or 1,769 of 6,721 open cases)

Services

Conduct proactive routine inspections and respond to and investigate complaints from the public

Proactive inspection based on 3-tier service delivery model with buildings inspected at least once every 3, 5, or 6-years

Outreach and Education -owners, managers, and residents on regulations, permits, best practices, etc.

Enforcement

Varying Conditions

Substandard housing and building violations

Minor issues - broken floor tile or loose faucet handles vs. Major issues-faulty electrical wiring or hazardous staircases and balconies

Staffing

17.25 FTE Code Enforcement Inspectors

34.4% of total inspection staff

Community Development Block Grant (CDBG) Program

Scope

Supplement to the Multiple Housing Program

Ensure safe, decent, sanitary housing

Buildings with 3+ dwelling units CDBG eligible areas (Project Hope Areas)

Services

Conduct enhanced proactive routine inspections

Respond to and investigate complaints from the public

2x Multiple Housing Program service model with tier 2 buildings receiving inspections in 50% of the units (compared to 25%) and tier 3 buildings receiving inspections in 100% of the units (compared to 50%)

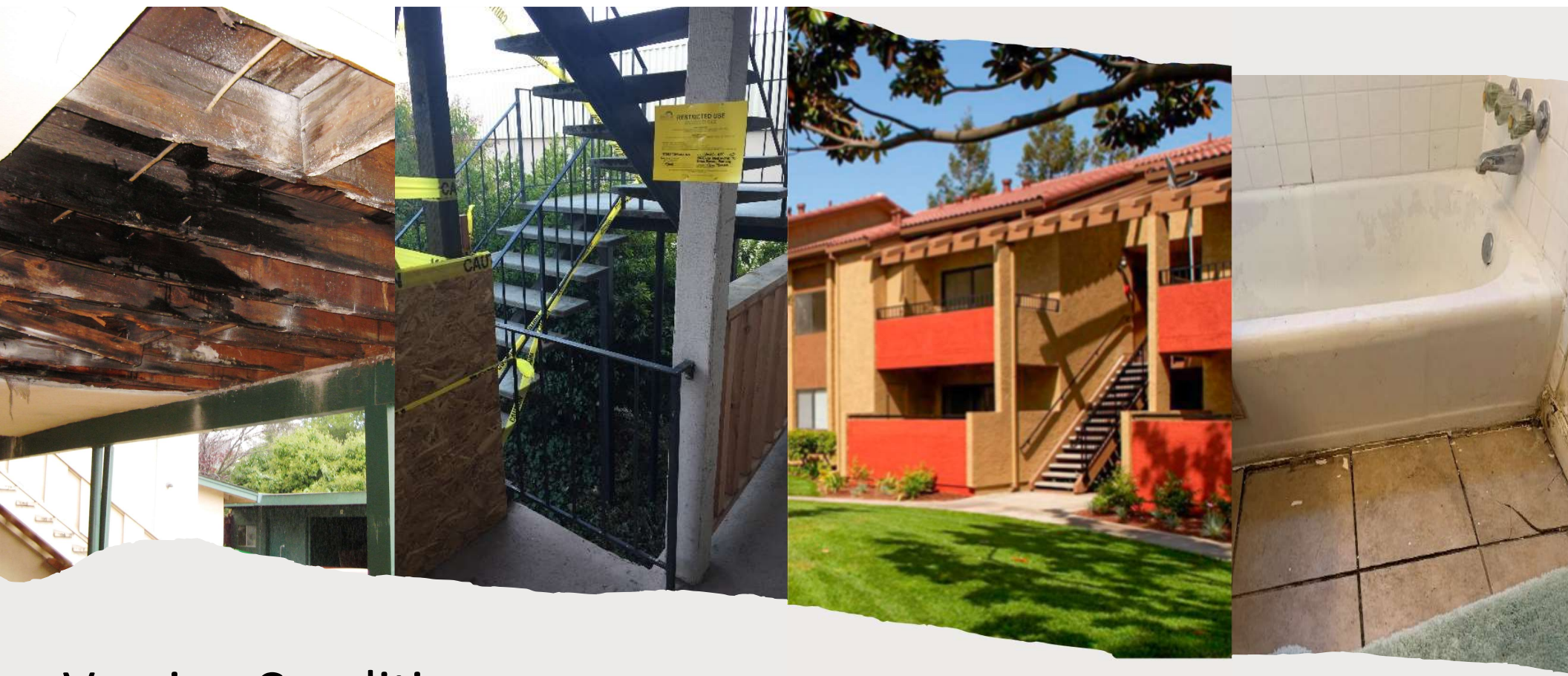
Provide support to residents, property owners and managers

Regular participation in interdepartmental Project Hope meetings/events

Staffing

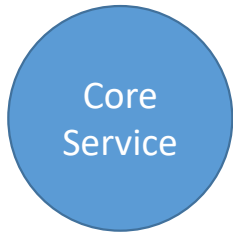
17.25 FTE Code Enforcement Inspectors

34.4% of total inspection staff



Varying Conditions

Multiple Housing property violations can vary from minor to more serious violations.



General Code Program

Scope	All private property except Multiple Housing Program buildings- residential, commercial, industrial, vacant land
	General funded-flexibility in the types of cases the team can address
	60.6% of the division's total open active caseload (4,076 of 6,721 open cases=271 cases/inspector)
Services	Complaint based- respond to and investigate complaints from the public
	Provide support to other city departments- illegal dumping, mobile vendors, fireworks, etc.
	Outreach and education- community meetings, multi-step enforcement process
Enforcement	Building, zoning, substandard housing, blight, and solid waste
	Range from quality-of-life issues (graffiti or blight) to imminent life-safety concerns (no egress in sleeping rooms or unpermitted garage conversions (living units) with gas appliances, risk of carbon monoxide exposure)
Staffing	Staffed by 15 FTE inspectors (13 General Funded, 2 Fee Funded), or 30% of total inspection staff

General Code Program

Most Common Violations:

- *Substandard Housing*
- *Illegal Occupancy*
- *Blight*
- *Solid waste*
- *Unpermitted Construction*



Special Programs

- Provide inspection and enforcement of various niche businesses and targeted issues within the community
- Eight Programs in total- *Tobacco Retail License, Off-sale Alcohol, Vacant Buildings and Storefronts, Abandoned Shopping Carts, Massage, Cannabis, Building Code Compliance, and the Local Enforcement Agency (LEA)*
- Fee-funded Programs
- 30% of staff, 11% of workload

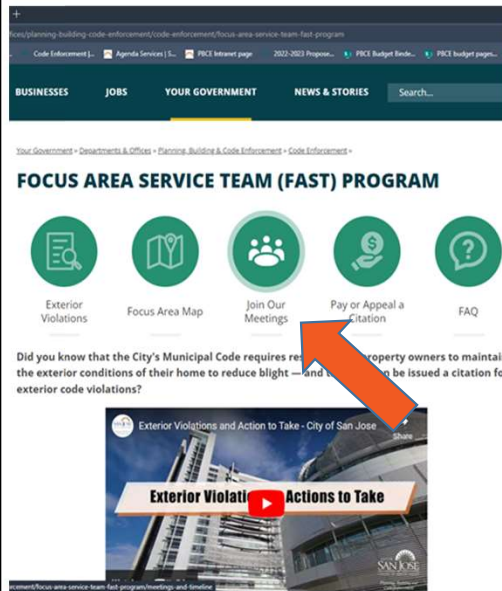


Outreach and Education

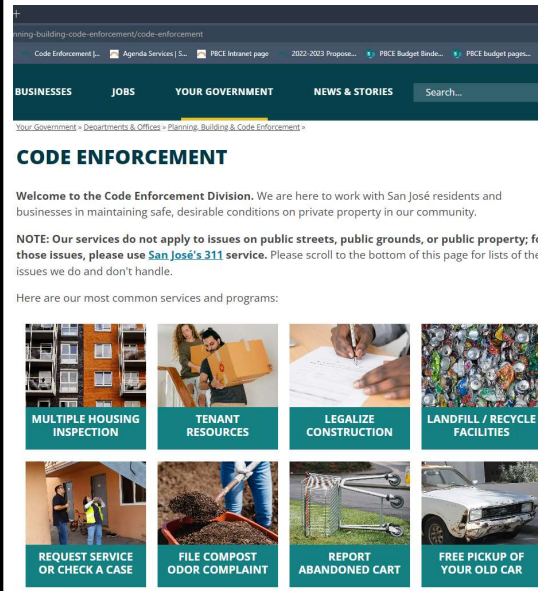
Newsletters and Brochures



Community Meetings



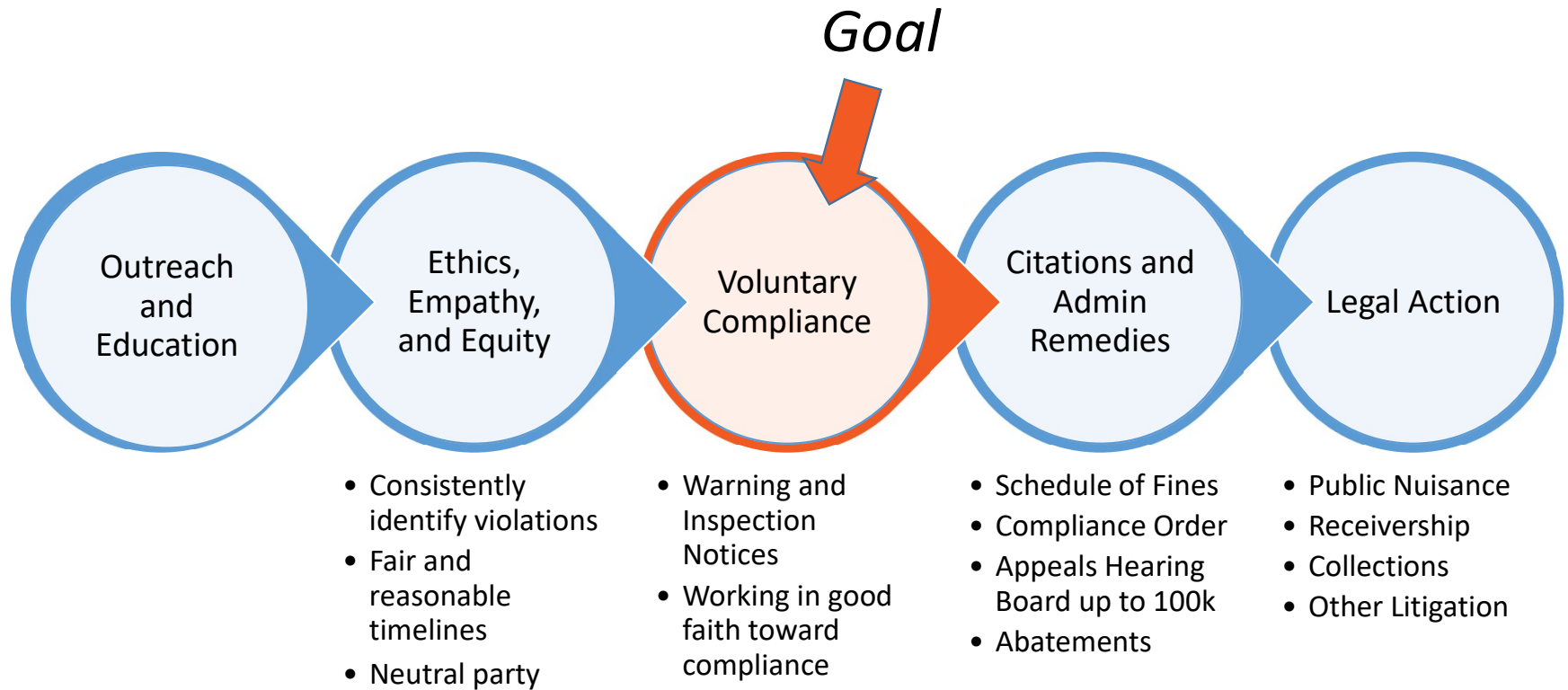
Webpage Resources



Enforcement Strategies



Enforcement



Fiscal Year 2022-2023 Activity Highlights

- Restored services to pre-pandemic levels
 - *MH Routine inspections 89% of target*
 - *General Code complaint response- 98%, 81%, 44%*
- Exceeded prior year outcomes in most areas
 - *4,469 new complaints processed*
 - *594 citations issued*
 - *11,190 general customer service calls/1,540 information request emails/893 walk ins*
 - *Resolved over 11k violations (core services)*
- Continued to provide support to other city departments
 - *1,344 firework complaints processed*
 - *Ensured continuity of tow services/assisted BeautifySJ*
 - *RFPs- City-Generated Tow Services and new Code Enforcement Case Management System*
- Health and Safety- *Exterior, elevated, elements (E3) Program, Flavored Tobacco Ordinance and Youth Decoy Program*
- Increased Resource Capacity – *Code Supervisor, Code Enforcement Inspector, Senior Analyst*

Current Initiatives

Fiscal Responsibility- *improved budget oversight, informed management decisions, template for other PBCE Divisions*

Temporary Staffing- *reduce backlog, provide support to General Code Program*

Enhanced Vacant Buildings- *one time funding to support enhanced enforcement effort on chronically vacant/blighted buildings (focus on downtown)*

Focus Area Service Team (FAST)- *new outreach and education strategies, proactive, expedited blight enforcement in six areas of city with highest volume of blight complaints*

New Code Enforcement Case Management System- *significant improvements in word processing, data analytics/reporting, tracking and monitoring, customer access, remote capabilities*

Challenges

Staffing and Organizational Structure

- 24% vacancy rate (now 10%)
- Span of control
- Inexperienced Staff- majority have less than 2 years in current position

Budget and Funding

- *Majority of budget is fee revenue*
 - \$10.2m Fees or Grant Funds
 - \$2.8m General Fund
 - Total= approximately \$13m
- *Fee-funded resources are strictly limited to activities directly related to the specific fee.*
- *Creates operation constraints*

Code Enforcement Case Backlog

- *Open cases > closed cases=increase in backlog year over year*
- *Increase in 1,172 cases (41.2%) since FY18-19*
- *Inspector workload 2x target*
- *High rate of building cases- 49% of General Code Program cases/ 32% of all open case*

Next Steps

Mayor's March Budget Message for Fiscal Year 2024-2025, direction:

The City currently lacks the capacity to address both the code enforcement backlog and incoming cases, and simply adding more staff might not be the answer. Instead, the City should seek a reengineering of the code enforcement process and organizational structure to allow for a more rapid and effective resolution of code enforcement issues throughout San José. The City Manager is directed to allocate the one-time funding necessary to complete this operational assessment. Through these efforts, we can efficiently close cases, reduce the backlog and ensure more responsive delivery of services.

- Pending approval of one-time funding in the 2024-2025 Operating Budget:
 - ✓ Staff will conduct an operational assessment to identify strategies to improve service
 - ✓ Staff will analyze the noted challenges in addition to any other issues identified as part of this effort

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