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Code Compliance Section Findings

1. According to the Planning Department's Final Conversion Plan, the department has a policy of resolving code compliance complaints within four months.
2. At the end of the year 2000, there were 3,848 unresolved code compliance complaints. This represents more than three years of unresolved complaints. The Planning Director attributes the high backlog to the fact that code compliance staff worked on easiest-to-resolve complaints first to reduce the volume of unresolved complaints. The director also asserted that approximately 3,000 of the 3,848, that currently show unresolved in the computer system, should show resolved. These 3,000 are a combination of (1) old resolved complaints that are not shown properly resolved in the computer or (2) old complaints which are considered too minor to work on.
3. The computer listing of code compliance complaints received during the first quarter of 2000 indicates a "Priority Code" for each complaint type, consisting of Codes A, B, C. Listed below is a breakdown and a description of the priority code for the 258 complaints received:

15	Code A – involving immediate threat to public health and safety
232	Code B – health or safety considerations but no immediate threat to the public
<u>11</u>	Code C – low priority for violations confined to a single property
<u>258</u>	Total
4. Review of the 9 selected files revealed
 - 6 of the 9 complaints selected were still unresolved more than a year after they were filed
 - 2 of the 9 complaints were assigned the highest priority status (Code A). Neither was resolved
 - 3 of the 9 complaints had recorded code violations (Red Tags) shown in the computer records, but only 1 contained a copy of the recorded code violation in the physical file
 - 1 file had all the work done but the file was still shown as active
 - 1 file had no work done on it at all
 - 1 file had an unsigned copy of a settlement agreement when it should have contained a signed copy in the file
5. When the Grand Jury questioned the meaning of the compliance Priority Codes A, B, C, the director stated that he was unaware of these priority codes because the system was installed before he started with the county. Senior code compliance management had earlier asserted these codes were useless and they did not mean anything. In contrast, two computer-input clerks stated that they always assign a Priority Code B when entering the initial code compliance complaint in the computer and then route the file to the senior code compliance management who may change it to Code A or C as appropriate.
6. As a result of this information, the Grand Jury increased the scope of its review to include all of the complaints bearing the highest priority code received during the first quarter of 2000. There were 15 Code A complaints. One year later, 9 of the 15 Code A complaints were still unresolved.

7. The contradictory information regarding the complaint coding system led the Grand Jury to review the history of the code compliance computer system Codes A, B, C. The findings in chronological order are
 1. In November 1990, the Board of Supervisors approved a set of criteria for assigning priority rankings to code violation complaints.
 - Code A – involving immediate threat to public health and safety
 - Code B – health or safety considerations but no immediate threat to the public
 - Code C – low priority for violations confined to a single property.
 2. In 1993 the, A, B, C coding was implemented and integrated into the computer system ALUS (defined later).
 3. The code compliance section has failed to properly use this system. There has always been a reminder computer report for code compliance violations (A, B, C) as a part of the ALUS system.
 4. In August 2000, a new set of codes for assigning priority rankings was devised using designations 1 through 5 rather than A, B, C. Code 1 is equivalent to Code A. Codes 2 through 5 are in descending order of importance.
 5. A substantial amount of time and effort was spent on the new system. In spite of the costly preparations, Codes 1 through 5 system has never been implemented.

Systems and Policies Findings

1. The department runs its data processing system on a 1990's mainframe software system called ALUS. ALUS does all its processing and data storage on a single large piece of computer hardware. The department also has smaller data processing system modules on a user's desktop computer, like word processing, spreadsheets, etc. An e-mail system was recently installed in the department. ALUS is the backbone of the Planning Department and is a well-tested and reliable system, however it is difficult to upgrade and has no user documentation. This is a considerable detriment to its future use.
2. The Planning Department does not accept credit cards for payment of fees. The fiscal manager of the department has devised a plan by which applicants can submit a credit card and pay a convenience fee to defray the credit card cost charged to the department. This plan has not been implemented.
3. The reviewing agency does not always update the status of their review in the computer system. In such instances the Planning Department does not complete this section either.
4. Almost anyone in the Planning Department can change data in the computer.
5. Of the four primary functions of the department, the development approval process and the building permit process were recently made available on the internet. The General Plan and the code compliance status are not yet available on-line.
6. To provide a more convenient and less crowded location for the public, the department operates a satellite permit center in Felton. This center operates three days a week. Plans are underway to open another satellite office in the Aptos/Watsonville area.

7. The Planning Department has streamlined the process for small projects such as permits for water heaters, fences, decks and roofs by allowing applicants to apply by telephone, internet or fax.

Conclusions

In the creation and administration of the General Plan, the Planning Department has broad discretionary powers to define and implement land use policy, which must be balanced with the rights of applicants, surrounding property owners and the community at-large.

When codes and ordinances are broadly constructed, they allow a proponent to argue either side of an issue and find justification for their position.

It is standard practice to update the General Plan every ten years. However, since such significant changes have occurred in the county over the last seven years, the General Plan should be updated sooner.

If the county grows in 2001 as it did in 2000, the county will run out of permits sometime late in the year.

Personnel Conclusions

The Planning Department is experiencing an endless cycle of inter-dependent factors, which has resulted in the department's current personnel problems, including:

- Low pay
- Heavy workloads
- Low morale
- Inadequate training
- Loss of staff
- Political pressures from Board of Supervisors
- Stressful situations for employees who have to tell people what they cannot do with their property

Each part of this cycle interacts with another and produces an unstable workforce and a dysfunctional department.

Santa Cruz County employee salaries are low relative to housing costs and living expenses in the county. A major contributor to this problem is the nine-county average that is used to determine Santa Cruz County employee salaries. Using the salaries of comparable staff positions in the four cities in the county would be more relevant than counties like Fresno, Napa, Solano or Sonoma. A weighted-average is a better method for calculating benchmark salaries than a simple average.

The Planning Department has little control over salaries. Therefore, the problems that plague the Planning Department in regards to employees will continue indefinitely despite their good effort to retain and hire enough new people.

Silicon Valley has become a major source of income for a number of Santa Cruz County residents. This has its good and bad points. Since a Silicon Valley employee earns substantially more than a Santa Cruz County employee, Silicon Valley income-earners have driven up the cost of housing in the county. The present salaries of new county employees make it difficult to find affordable housing. This negatively affects recruitment.

Training programs for employees are critical to the building of their work skills. The high vacancy rate, which has prevailed within the department, has contributed heavily to the lack of essential training.

Political pressure is a way of life for any county's planning department. Training personnel to deal with this inevitable reality will have the effect of lowering stress and improving morale.

The Grand Jury commends the dedicated and loyal Planning Department employees who have persevered during these difficult times. Special thanks go to the employees who cooperated with this review.

Development Review Section Conclusions

The files selected were completed in a timely manner. They contained sufficient information to understand the decisions that were made in each case. Any deficiencies are not of major significance and can be readily resolved.

Building Permit Section Conclusions

The files selected were completed in a timely manner. They contained sufficient information to understand the decisions that were made in each case. Any deficiencies are not of major significance and can be readily resolved.

Code Compliance Section Conclusions

Code A complaints (highest priority involving immediate threat to public health and safety) were not given the high priority indicated by the department's own policies. One year after the complaint filing date 60% were still unresolved.

The failure to promptly resolve serious code violations (Code A) creates circumstances of undue risk of serious injury or death.

Code compliance files that are incomplete result in inefficiency.

Proper use of the current ALUS code compliance system will accomplish the goal of screening out the old files with a few minor changes. This result can be attained by

- Adding a new status type
- Considering the new status type the same as a closed complaint
- Removing the closed files from all computer reports that show active complaints
- Keeping the history in the computer
- Changing all old complaints without health or safety problems to the new status type

Relying on a new code compliance computer system as an excuse for not reducing the number of code compliance complaints is unacceptable. Code A-C verses 1-5 should not be an excuse for inaction. Although the department has defined its problems and designed initiatives to help correct the code compliance issues, the department is unable to get beyond the planning stage and implement the policies.

It would be very beneficial to have the code compliance status on the internet for the following reasons:

- The department would receive fewer calls and visits, which will increase efficiency
- The department would have a greater incentive to reduce outstanding code compliance complaints

Systems and Policies Conclusions

Inability to accept credit cards is a disservice to the public. This simple reform would do much to improve public relations and reduce the frustration of the employees. The cost savings of personnel time and the convenience to the citizens would justify the cost.

Since almost anyone can enter information into the computer, there is a potential for personal gain, collusion or errors. The department or the Auditor-Controller's Office should consider installing an internal audit system, randomly picking both closed and open files to review.

The web sites for both the development approval process and the building permit process are an excellent source of information to the public.

Obtaining a new computerized planning system, currently used by other planning departments in the state, has the potential to reduce personnel costs. Further benefits include:

- Easy and flexible report writing module
- Easy way to update internet screens using the data stored in the system
- Consecutive numbering of the code compliance complaints in order of receipt
- Prevent a file from advancing to the next stage without completion of previous steps

Recommendations

1. The Planning Department should accept credit cards.
2. The Planning Department should immediately resolve all complaints classified as a threat to public health and safety.
3. The Planning Director should ensure there is strong management in the Code Compliance Section.
4. Physical files should include copies of the recorded code violations (Red Tags) and be consistent with the status shown on the computer screen.
5. The Planning Department should utilize the existing ALUS code compliance system for tracking the status of code priority classifications until a future system is operational.
6. The Planning Department should complete the status of the outside agency's review in the computer system.
7. The Planning Department should develop a system to cross-reference the multiple physical files that exist for a single development permit application.
8. The Auditor-Controller's Office should implement an internal audit system on Planning Department files.
9. The Board of Supervisors should update the 1994 General Plan as soon as is feasible.

10. The Board of Supervisors should conduct a formal study to determine the relationship of current salaries to employee retention.
11. The Board of Supervisors should consider changing the entities in the nine-county comparison used in salary surveys to include the four cities in the county.
12. Immediate priority must be given to training Planning Department personnel.
13. Planning Department managers should conduct employee reviews consistent with the stated personnel policy of the department.
14. The Planning Department should establish the Aptos/Watsonville Satellite Permit Center.
15. The Felton Satellite Permit Center should be available five days a week.
16. The General Plan and the code compliance complaint status should be available the internet.
17. The following should be added to the web site:
 - Development approval process
 - Description of the project
 - Cross reference to a related building permit
 - Building permit process
 - The alpha digit at the end of the permit number is confusing and should not be part of the record number
 - If a permit has been issued, the status on the web page should not show “READY TO ISSUE”
 - Withdrawn permits should be shown on the web page
 - Complete projects should show the date of completion on the web page
 - Cross reference the building permit to any related development approval

Response Required

Entity	Recommendations	Respond Within
Board of Supervisors	1 – 17	90 Days
Planning Director	1 – 7, 12 – 17	60 Days