

**Grand Jury Report  
REQUESTED RESPONSE FORM**

Grand Jury Report Title: Planning and Building Code Enforcement Division

**Report Dated:** 6/22/17

***Response Form Submitted By:***

Ignacio Gonzalez, Interim Director  
Mendocino County  
Planning and Building Services  
860 N.Bush Street  
Ukiah, CA 95482

***Your Response is REQUESTED no later than: August 22, 2017***

***I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:***

I (we) agree with the Findings numbered:

I (we) disagree wholly or partially with the Findings numbered below, and have **attached, as required**, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.

**F1 through F11**

***I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:***

The following Recommendation(s) have been implemented and **attached, as required** is a summary describing the implemented actions

**R1, R3, R4, R5 & R8**

The following Recommendation(s) have not yet been implemented, but will be implemented in the future, **attached, as required** is a time frame for implementation:

GRAND JURY REPORT  
RESPONSE FORM  
PAGE TWO

X The following Recommendation(s) require further analysis, and attached as required, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report):

R2, R6 & R7

     The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, attached, as required is an explanation therefore:

*I have completed the above responses, and have attached, as required the following number of pages to this response form:*

Number of Pages Attached: 4

*I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: [www.co.mendocino.ca.us/grandjury](http://www.co.mendocino.ca.us/grandjury). The clerk of the responding agency is required to maintain a copy of the response.*

*I understand that I must submit this signed response form and any attachments as follows:*

First Step: E-mail (word documents or scanned pdf file format) to:

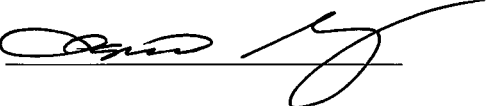
- The Grand Jury Foreperson at: [grandjury@co.mendocino.ca.us](mailto:grandjury@co.mendocino.ca.us)
- The Presiding Judge: [grandjury@mendocino.courts.ca.gov](mailto:grandjury@mendocino.courts.ca.gov)

Second Step: Mail all originals to:

Mendocino County Grand Jury  
P.O. Box 629  
Ukiah, CA 95482

Printed Name: Ignacio Gonzalez

Title: Interim Director, Mendocino County Planning and Building Services

Signed: 

Date: 8-10-17

GRAND JURY REPORT RESPONSE

Report Title: Planning and Building Code Enforcement Division

**Response to Findings:**

F1:

On 1/10/17 the Mendocino County Board of Supervisors adopted chapter 1.08 of the Mendocino County Code titled "Administrative Citations and Penalties" that allows enforcement by issuance of administrative citations with penalties for violations of the Mendocino County Code, by designated enforcement officers, including Code Enforcement Officers. This chapter dictates non-discretionary penalty amounts. All administrative penalties for code enforcement violations, enforced by issuance of an administrative citation, are now pre-determined by the language in this chapter. All allowance for and reference to discretionary administrative penalties previously outlined in Chapter 8.75, the general Nuisance Abatement Ordinance, were removed from the code by way of an adopted revision. Code Enforcement Officers are authorized to issue criminal citations related to code enforcement violations pursuant to California Penal Code Section 829.5 and in those instances penalties are non-discretionary pursuant to California Government Code Section 25132.

F2:

The Code Enforcement Division of the Planning and Building Services Department (PBS) responds to complaints and regularly takes enforcement action on observed violations outside the parameters of the initial complaint.

F3:

PBS has purchased new vehicles in the last year and several more are currently on order. PBS currently has adequate vehicle numbers for use by the Code Enforcement Division to safely and efficiently perform their assigned field work.

F4:

The Code Enforcement Division is fully staffed at the time of this report and we agree that prior turnover due to retirement and employees leaving the area for other jobs has impacted consistency with enforcement and compliance. That trend is not expected to continue as staffing appears to be committed at this time.

GRAND JURY REPORT RESPONSE

Report Title: Planning and Building Code Enforcement Division

**Response to Findings (cont.):**

F5:

In April of 2017, PBS made the Code Enforcement Unit a Division of the organization and appointed a Code Enforcement Division Manager. Prior to this, Code Enforcement was a unit under the Building Division and had a long time Code Enforcement Supervisor who retired in January 2017. Under this new model of management there is clear direction for the Code Enforcement Supervisor and 5 Code Enforcement Officers.

F6:

The number of open cases has been significantly reduced and continues to be reduced through closure by resolution. The number of complaints is variable and uncontrolled. In January of 2017 the Code Enforcement Division instituted a new case management strategy that incorporates recordation and tracking of all in-coming complaints with verification and pre-investigation of violations to allow the violator to gain compliance prior to opening a formal case that may result in enforcement action with penalties. This has proven to significantly reduce the unnecessary opening of cases and promoted more expedient resolution of violations so that a backlog of cases does not continue to occur. Valid complaint and case statistics are regularly reported to the Board of Supervisors and can be proven by way of our case management system and records management database.

F7:

The lack of online data is not detrimental to the efficient function of the Code Enforcement Division. All of the information pointed out by the Grand Jury in this finding is available information and is accurate in our records management database, it is not published online as it would be impractical and unnecessary to publish the volume of information described.

F8:

The PBS Division Managers meet weekly as a team with the Director and each Division has weekly meetings with their respective teams. All Divisions, including the Code Enforcement Division, are efficiently functioning together in the delivery of our services without impairment.

GRAND JURY REPORT RESPONSE

Report Title: Planning and Building Code Enforcement Division

**Response to Findings (cont.):**

F9:

The PBS Director regularly gives scheduled progress reports that include action plans to the Board of Supervisors in open session.

F10:

PBS intends to continue to explore ways to create online access to more efficiently deliver service to the public, including those in the building trades.

F11:

PBS is unaware of any conclusions to substantiate the statements made in this finding.

**Responses to Recommendations:**

R1:

In 2017 the Code Enforcement Division has added 3 new positions at the direction of and with the approval of the Board of Supervisors. The addition of these officers has been instrumental in efficiently handling the increased volume of complaints and efficient case resolution.

R2:

This would need further analysis as the Code Enforcement function is already budgeted for and that budget is enhanced continually by the collection of penalties that are assessed as the result of enforcement action. Funds are accounted for properly for use as necessary for future code enforcement actions.

R3:

PBS has purchased new vehicles in the last year and several more are currently on order. PBS currently has adequate vehicle numbers for use by the Code Enforcement Division to safely and efficiently perform their assigned field work. All vehicles used by Code Enforcement are all-wheel drive and dependable.

GRAND JURY REPORT RESPONSE

Report Title: Planning and Building Code Enforcement Division

**Response to Recommendations (cont.):**

R4:

The PBS Division Managers meet weekly as a team with the Director and each Division has weekly meetings with their respective teams. All Divisions, including the Code Enforcement Division, are efficiently functioning together in the delivery of our services without impairment. Issues are frequently discussed and information properly relayed to staff.

R5:

The PBS Director regularly gives scheduled progress reports that include action plans to the Board of Supervisors in open session.

R6:

The PBS currently has an online system for public look up of issued building permits. Further evaluation is necessary to determine if having an online system for looking up complaint actions is warranted and legally allowable.

R7:

This recommendation would require further analysis and direction from the Board of Supervisors.

R8:

This recommendation was completed in January of 2017 when the Board of Supervisors adopted Chapter 1.08 of the Mendocino County Code.