

MEETING DATE: 04/20/09

AGENDA ITEM: Approval of the Revised Classification Specification for Code Enforcement Officer.

ATTACHMENTS

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ATTACHMENT 1



HUMAN RESOURCES DEPARTMENT

CODE ENFORCEMENT OFFICER

DEFINITION

Occupants of this classification are in the classified service. The positions assigned to this classification are responsible for enforcing housing, zoning, land use and public nuisance provisions of the Municipal Code and other regulatory codes, to assure residential, commercial, and industrial buildings are safe to use.

SUPERVISION RECEIVED AND EXERCISED

The positions assigned to this classification report to the Enforcement Services Manager.

ESSENTIAL JOB DUTIES

The following tasks are essential for this position. Incumbents in this classification may not perform all of these tasks, or may perform similar related tasks not listed here.

1. Inspects residential, commercial, and industrial buildings to assure compliance with zoning, land use, permitting, and public nuisance, and provisions of the Municipal Code.
2. Records accurately the findings of the inspection, the corrections needed, and issues orders to comply to achieve compliance with the Municipal Code.
3. Prepares and serves notices of violations, abatement orders, corrections and stop work orders related to land use regulations, housing quality and property maintenance.
4. Assures corrections are made to violations of the zoning, land use and public nuisance provisions of the Municipal Code in a timely manner.
5. Issues citations, confers with, and recommends action to the City Attorney if corrections are not made, and Prepares reports, graphic presentations, and case records for presentation to the City Attorney's Office when prosecution becomes necessary. Testifies in court and at nuisance abatement hearings.
6. Prepares and keeps accurate logs, reports, and records regarding code enforcement inspections, violation notices and investigations which are legible, complete, up to date, and descriptive of problems encountered.
7. Works cooperatively and effectively with residents and property owners to achieve housing conditions which comply with zoning, land use, and public nuisance, and provisions of the Municipal Code. Interprets codes and regulations and explains the code enforcement program.
8. Responds to public inquiries and complaints regarding possible violations of the zoning, land use, and public nuisance provisions of the Municipal Code in a timely manner.

Revised April 2009
Revised July 2007
November 1998

Thoroughly investigates possible violations gathering evidence, photographing the violation, contacting the responsible person, and assuring the correction of the violation. Keeps complainants aware of the status of their complaint.

9. Provides general zoning, housing, and property maintenance information to local and governmental agencies.
10. Makes efficient use of his/her time by keeping up with assigned inspection workloads. Promptly responds to inspection appointments; completes a reasonable number of inspections given work time available.
11. Assures compliance with the sign ordinance regarding size and placement. Removes signs placed illegally in the public right of way. Conducts thorough field inspections to identify possible violations of the sign ordinance.
12. Assures compliance with codes for signs, land use, zoning, required landscaping, fences and hedges, barbed wire, and razor ribbon.
13. Maintains a current and thorough working knowledge of zoning, land use, and public nuisance provisions of the Municipal Code, and is able to correctly interpret and apply them.

MINIMUM KNOWLEDGE, SKILLS AND ABILITY

Knowledge of:

- Learn Basic land use, zoning, signs, nuisance, and related codes and ordinances.
- Land use principles and practices
- Basic legal issues related to arrest, inspection and abatement warrants; summary and nuisance abatement methods; right-of-entry, and procedural and substantive due process law
- Procedures and methods involved in investigating violations, preparing cases for prosecution and testifying in court
- Office procedures, practices and equipment including complaint tracking, GIS, digital photography and presentation software.

Skill and Ability to:

- Communicate and deal tactfully and effectively with the public and fellow employees.
- Interpret codes and ordinances related to housing, nuisances, zoning, signs, and land use.
- Follow through on assignments undertaken.
- Learn the field of code enforcement.
- Make logical interpretations and coming to conclusions from after studying facts.
- Apply investigative techniques to assess compliance with appropriate codes and ordinances.
- Provide effective customer service.
- Use a personal computer and applicable software applications, including complaint tracking software, Graphic Information Systems (GIS), digital photography and presentation software

LICENSE AND CERTIFICATES

Possession of a valid California driver's license. Possession of valid P.C. 832 P.O.S.T. certificate within one year of date of hire into classification.

TRAINING AND EXPERIENCE

Any combination equivalent to training and experience that could likely provide the required knowledge, skills and abilities would be qualifying. A typical way to obtain the knowledge, skills and abilities would be: high school graduation, or equivalent, and two (2) years of experience in ~~public contact work involving building construction~~ performing code enforcement or public inspection services.

PHYSICAL REQUIREMENTS AND WORKING CONDITIONS

- Require vision (which may be corrected) to read small print.
- Require the mobility to stand, stoop, reach, and bend.
- Require the ability to stand for long periods.
- Require the ability to walk long distances.
- Perform lifting, pushing and/or pulling which does not exceed 50 pounds and is an infrequent aspect of the job.
- May be required to work in inclement weather ~~without effective protection from sun, cold and rain.~~
- May be required to attend periodic evening meetings and/or to travel within and out of City boundaries to attend meetings.
- May be required to work evenings and/or weekends.

ATTACHMENT 2

UNOFFICIAL MINUTES EXCERPT

REGULAR MEETING OF THE
CIVIL SERVICE COMMISSION,
CITY OF CULVER CITY,
CALIFORNIA

April 1, 2009
7:00 P.M.

Call to Order & Roll Call

The meeting of the Civil Service Commission was called to order at 7:03 P.M.

Present: Chair Michael Whitaker
Vice Chair Sharon Zeitlin
Commissioner Sandy Stivers
Commissioner Richard Ochoa
Commissioner Dan Gallagher

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Action Items

Item A-2

Revised Classification Specification and Revised Open & Competitive Recruitment Bulletin: Code Enforcement Officer

Mary Ortiz gave an overview of the staff report:

- Significant changes were made to the Training and Experience section of the classification specification, to clarify the specific type of experience, code enforcement or public inspection services, that would be required for a candidate to be successful in the position. It should be noted that this language had already been used previously in a recruitment, and had generated a pool of strongly qualified candidates.
- Minor revisions were made to both the classification specification and recruitment bulletin to provide clarity and elaborate on some of the essential duties and working conditions associated with the classification.

At the Chair's request and after conferring with the Enforcement Services Manager, I'd like to draw your attention to two additional revisions to the classification specification. These were provided to you on the dais and these are highlighted in yellow:

- The first revision is to the last line of the section titled "Definition" - this clarifies the scope of the classification. Everything after the words "Municipal Code" has been stricken and replaced with the words "and other regulatory codes."
- The other revision includes the addition of the word "basic" to the third bullet point under Knowledge, Skills and Abilities, for clarification purposes.

The Enforcement Services Manager and I are available here to answer any questions you may have.

Commissioner Stivers stated she had a couple of general comments. On Attachment A, Essential Job Duties, starting with #4, "assures corrections are made to violations of the zoning and land use (etc.)." Is "timely manner" identified by the supervisor, or as identified by the Municipal Code?

Sol Blumenfeld, Community Development Director, replied by stating: the Municipal Code doesn't generally contain that level of details, so it's really as defined by the supervisor; and the supervisor's direction is taken from the operating manual that we put together when we organized the Division, which was reviewed and approved by the City Council. So, the short answer is, it's the supervisor.

Commissioner Stivers replied, okay. The other comments I have, are on parts of #6 and part of #10. One of the things I've noticed lately is that some of the essential job duties are things that I would expect that one would do in any job - "make efficient use of their time", and "complete a reasonable number of inspections given work time available", "keep up with work loads", "have legible writing and be complete", and it has the feel to me as a reader, as if there were some kind of problems with a City employee where they said "I didn't know I had to write legibly", or "I didn't know I had to be on time", or the statement: "follows through on assignments, makes logical interpretations" - we would hope that all our employees would do those kinds of things. Just a comment. Is that coming from somewhere, or a problem?

Mary Ortiz replied, in regards to #4, these were items that were already listed (the timely manner, etc.) and that goes to the importance of getting these things accomplished because depending on the violation, it could pose a safety hazard. We do want to have that in the classification specification to stress the urgency and importance of doing so in a timely manner. As

far as #10 is concerned, this is again just to stress the importance of it. But you did hit on a very important point, that in the past these were issues. This is not something that was discussed in this revision, but previously when this classification specification was first generated back in 1998 through a Class Study, these were items that were identified as been very, very critical to the success of the not only the incumbent performing these duties, but also to the success of the particular organization or unit that this position reports to. So when you see these type of items, it is because there have been issues and we do want to make sure that the incumbents are aware of the importance of these particular essential duties.

Commissioner Stivers responded, I would assume that once the person is chosen and starts, that those are really supervisory issues that if they're not doing those things that are required, just like any employee, that they would be counseled.

Mary Ortiz responded, absolutely.

Commissioner Ochoa stated, I have two questions. One is, on page two, #12, just for my own edification, what is "razor ribbon"?

Sol Blumenfeld responded, razor wire and barbed wire are just security measures that are sometimes used and "razor ribbon" is basically like barbed wire but it has a serrated edge.

Commissioner Ochoa continued, following down on the Minimum Knowledge, Skills and Abilities, #3, where you have the one change that's noted, "basic legal issues related to arrest" - what would be the involvement of the Code Enforcement Officers on an arrest? I can understand the inspection, the abatement warrants, but arrest?

Sharon Guidry, Enforcement Services Manager, responded - previously in the Code Enforcement Division when it was in the City Attorney's Office, Notices to Appear were issued. Notices to Appear haven't been issued in quite some time, but considering the progress of the Department, we may find it necessary in the future to issue Notices to Appear again, and because these notices are actually arrest and release on your own recognizance, that's what that section relates to.

Commissioner Ochoa responded, okay and thank you, that's it.

Vice Chair Zeitlin stated, I have a few questions. Starting with Essential Job Duties, #5 indicates that the individual issues citations - and I'm just wondering how that's actually done, is it done in person, do you mail citations to an individual or business, what's the process?

Sol Blumenfeld responded, recently the City adopted a new Administrative Penalties Ordinance that will allow us to use administrative citations as a way to help deal with Code Enforcement violations, and through that new law, we're able to issue citations, and we gearing up actually to do that in the very near future. So the citations are generally issued in person to the violator. Generally they're land use related violations. A citation is presented, the City Attorney's Office works with Code Enforcement staff in putting together the actual citation process and we would issue the citation directly to the violator. Then there would be a notice to appear and be present; if the violation was contested it would appear before a hearing officer who would review the matter and make a judgment about it.

Lisa Vidra, Deputy City Attorney, responded, the Ordinance pertaining to Administrative Citations details the various methods by which a citation may be served. Serving the violator personally is the first choice, if that cannot be accomplished for various reasons, the Code does allow for service via U.S. Mail and Certified Mail. In some instances, if needed the Code also provides for service via publication. So, that is all laid out in the Ordinance.

Vice Chair Zeitlin responded, thank you. And just to follow up on that, assuming it's done in person and an individual is not happy about it and perhaps becomes combative or uncooperative, what training does the Code Enforcement Officer have to protect themselves in the field when they're alone?

Sol Blumenfeld responded, the Code Enforcement Officers and the Park Patrol Officers are instructed never to put themselves in harm's way. So if there is a confrontational situation, they're instructed not to proceed to issue the citation. And in the event there is a situation that arises that escalates, they're instructed to call their Supervisor, and generally we would involve the Police Department if there was need to in order to issue the citation. In other words, in order to go forward through the citation process, we would involve the P.D. and a Police Officer would assist us in issuing the citation.

Vice Chair Zeitlin responded, okay and thank you. And just in reviewing the City of Santa Monica's class spec (and thank you for providing that, Mary), I see that they require P.C. 832 P.O.S.T. Certification for their Level II Officers. And I'm just wondering if you feel that something like that would be helpful, because in my own kind of job experience, things do escalate and they can escalate quickly, and my concern is for the safety of this officer and the City.

Sharon Guidry responded, the Code Enforcement Officers are P.C. 832 certified - we send them upon hire to training through the Rio Hondo Police Academy. They become certified and they also receive training for officer safety, verbal judo, and also training through the State Organization for Code Enforcement Officers for additional training related to officer safety.

Vice Chair Zeitlin responded, that's very comforting to know. I'm just wondering if we want to indicate that somewhere on the class spec or the job bulletin, that the training is required.

Mary Ortiz responded, we will go ahead and make the revision that the particular type of training will be provided upon hire in both the classification specification and the job bulletin.

Vice Chair Zeitlin responded, thank you; another general question - I'm wondering how many Code Enforcement Officers you intend to hire?

Sol Blumenfeld responded, we have authorized in the budget to maintain the number of two Code Enforcement Officers.

Vice Chair Zeitlin responded, okay, and do you intend either one of them to work on the weekends? I know that with respect to #11, the Sign Ordinance, just driving through the City on the weekend it really seems to be a problem, and is there someone who'll be available to address those issues?

Sharon Guidry responded, yes, we do intend to assign an officer to the weekend and that's one of the additions to the bulletin, so that they're aware that weekend work will be required.

Vice Chair Zeitlin responded, okay. And it does specify that they will be taking down the signs, when they see them in public right-of-way or it's inappropriate. But if they're repetitive violations, do you cite that individual, or does this Code Enforcement Officer just take down their signs by the end of the day?

Sharon Guidry responded, the way we currently deal with signs in the public right-of-way, is if it's just one sign, we just remove it and if it's too high or too difficult to remove then we request Public Works' assistance. If it's a situation where a company has placed signs throughout the City, then we take the information and we send an Order to Comply notifying them of our sign regulations and the intent to be cited for those violations.

Sol Blumenfeld responded, in the future, and now that we have our Administrative Penalty Ordinance in place, we can issue citations in the manner that Lisa Vidra just reviewed with you. And we'll look to do that with repeat violators.

Vice Chair Zeitlin responded, thank you. On the job bulletin, can you just tell us how you came up with the examination components, and why you chose to weight them 70/30?

Mary Ortiz responded, these components are consistent with what had been used previously and we found that they were very effective in identifying the strongly qualified candidates. The written test evaluates customer service skills and technical knowledge - this consists of a standardized, multiple-choice test that is very specific to addressing these issues and it also includes a writing exercise to assess their abilities in that manner. So given the fact that it has two different components within the written test, we felt it was worth more than just the 50% weight that you typically see associated with other positions. The technical aspect is very critical for this position, so when you see this you'll find that the weights are going to be leaning more towards the written examination component that evaluates the technical skills.

Vice Chair Zeitlin responded, thank you. In terms of the appraisal interview, do you use inside or outside raters?

Mary Ortiz responded, outside.

Vice Chair Zeitlin responded, thank you.

Chair Whitaker stated, I have a follow-up on the P.C. 832 Certification. Just for clarification, are we going to be requiring that the Code Enforcement Officer obtain the P.C. 832 Certification at some point?

Mary Ortiz responded, they will be required to get it before the successful completion of their probationary period, but it's not something that we would require somebody coming in from the outside to have.

Chair Whitaker responded, correct, so that would not be a requirement upon hiring, but that would be something that would be obtained during their probationary period.

Mary Ortiz responded, correct.

Chair Whitaker responded, and the probationary period is how long

Mary Ortiz responded, up to one year.

Chair Whitaker responded, and would there be sufficient time for the person who is hired to obtain that certification within that probationary period, because I'm not sure how often the P.O.S.T. course are offered at Rio Hondo or any other police academy.

Sharon Guidry responded, yes, we are comfortable with them obtaining the Certification within the one year probationary period. California P.O.S.T. does provide the training quite often; and we anticipate with the candidate meeting the minimum qualifications they should be able to successfully complete the P.C. 832 within that time.

Chair Whitaker responded, and you mentioned, I believe, Code Enforcement training - are there other certificates that you would require an incumbent to have upon hiring or by completion of their probationary period?

Sharon Guidry responded, at this time we don't require any additional training. All training that we believe is necessary for the officers to be successful we provide and send those officers to training through the Association of Code Enforcement Officers.

Chair Whitaker responded, do they obtain certificates or recognition from attending that training from that organization?

Sharon Guidry responded, yes, they provide basic, intermediate, advanced, and supervisory level training. It's about five courses per level. So yes, they would receive certificates and they also are the only organization that represents code

enforcement officers that have State certification where you can actually become a State Certified Code Enforcement Officer.

Chair Whitaker responded, but that's not something we're going to require the incoming employee to get?

Sharon Guidry responded, no.

Chair Whitaker responded, is there a reason why?

Sol Blumenfeld responded, to be an entry level Code Enforcement Officer really doesn't require that level of skill. I think if you want to become a manager, or move into other areas of code enforcement, you'd want that skill set.

Chair Whitaker responded, so it's more for career advancement, then.

Sol Blumenfeld responded, correct.

Chair Whitaker stated, I have no further questions or comments. Anything else from the Commissioners?

Commissioner Ochoa responded, I just want to be clear, so P.C. 832 will be added as a new item #14 under essential job duties to obtain that certification by the end of the probationary period?

Mary Ortiz responded, no, that will be added to the section under Licenses and Certificates, and with the clarification about the probationary period.

Commissioner Ochoa asked of Lisa Vidra, is the Administrative Penalty Ordinance a voluminous document, or is it just a few pages; I'd be interested in looking at it.

Lisa Vidra responded, it's more than a few pages; I can e-mail you a PDF copy. It should be on our website by now, because it's been some months since it's been passed through Council. If all the Commissioners want one I can send them.

Chair Whitaker asked for a motion on this item.

MOVED BY COMMISSIONER OCHOA, SECONDED BY COMMISSIONER GALLAGHER, AND UNANIMOUSLY CARRIED, TO APPROVE, WITH REVISIONS, THE REVISED CLASSIFICATION SPECIFICATION AND REVISED OPEN & COMPETITIVE RECRUITMENT BULLETIN FOR CODE ENFORCEMENT OFFICER.