

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 1/26/09		Item Number: <u>A-3</u>	
AGENDA ITEM: Adoption of a Resolution Authorizing by Title Certain City Officers and Employees to Enforce and Issue Notices of Violation, Orders to Comply and/or Citations for Certain Violations of the Culver City Municipal Code and Rescinding Resolution Nos. 2004-R016 and 2004-R083.			
Contact Person/Dept.: Lisa A. Vidra, City Attorney's Office		Phone Number: (310) 253-5660	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Master E-Mail Notification List (01/21/09)			
Department Approval: Carol A. Schwab, City Attorney		City Attorney Approval: Carol Schwab (by H. Baker) (01/15/09)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (01/21/09)		City Manager Approval: Jerry B. Fulwood (01/21/09)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a Resolution authorizing by title certain City officers and employees to enforce and issue Notices of Violation, Orders to Comply and/or citations for certain violations of the Culver City Municipal Code and rescinding Resolution Nos. 2004-R016 and 2004-R083. <u>BACKGROUND:</u> Culver City Municipal Code ("CCMC") § 1.01.060(B) (Attachment 1) requires the City Council to specify, by resolution, the title of public officers and employees who have enforcement authority and the specific ordinances they have the duty to enforce. Such authorization allows those City officers and employees to enforce the City's Municipal Code. Resolution No. 2004-R016 (Attachment 2), which was adopted by the City Council on February 23, 2004, and sets forth the title of public officers and employees who are authorized to enforce certain provisions of the CCMC, needs to be updated. Resolution No. 2004-R083 (Attachment 3), adopted on November 8, 2004, authorized Park Patrol Officers to enforce rules at the then-newly created off-leash dog park, as well as other park regulations. Since the time of the adoption of these Resolutions, certain Departments and Divisions have been reorganized, certain employee titles designated in the Resolutions no longer exist or have been changed, certain CCMC provisions listed in the Resolutions are no longer enforced by the designated employees, and certain			

City of Culver City, California
City Council Agenda Item Report

employees have a need to enforce specific provisions of the CCMC that are not currently designated.

DISCUSSION:

By adopting the proposed Resolution (Attachment 4), the two resolutions currently in effect will be consolidated into one document. A brief summary of these changes to employee titles and enforcement duties is set forth below.

Enforcement Services Division

Effective July 1, 2007, the Code Enforcement Division was moved from the City Attorney's Department to the Community Development Department. Along with this change, the division was renamed, "Enforcement Services," and the classification and titles of employees were changed. Park Patrol Officers, once under the Parks, Recreation and Community Services Department, are now under the Enforcement Services Division.

At the recommendation of the Community Development Director, the Enforcement Services Manager, Code Enforcement Officers and Code Enforcement Analyst will enforce all sections of the CCMC.

The duties of the Park Patrol Officers will include enforcement of no smoking in the parks and keeping dogs on designated dog paths at the parks.

Fire Prevention

The titles of the employees authorized to issue violation notices, citations and/or Orders to Comply have been updated.

Public Works

The titles of "Sanitation Manager" and "Sanitation Supervisor" have been changed to "Environmental Programs & Operations Manager" and "Solid Waste & Recycling Operations Supervisor," respectively. The Resolution now includes language expanding enforcement authority for these positions, as well as the Engineers in the division, and the Sanitation Crew Supervisors, to include Chapter 5.01 relating to solid waste management, Chapter 5.02 relating to sewers, and Chapter 5.05 relating to stormwater and urban runoff pollution control.

City of Culver City, California
City Council Agenda Item Report

Building Safety Division

The titles of the employees have been updated. For consistency, in addition to the enforcement authority listed in Resolution 2004-R016, the Resolution now includes two Chapters where the CCMC specifically states enforcement is the responsibility of the Building Official, which are Chapter 15.03 relating to Construction in Flood Prone Areas, and Chapter 15.04 relating to Earthquake Hazard Reduction.

Finance Department

The City Treasurer's Office is now the Finance Department. The proposed Resolution designates the Chief Financial Officer, in his capacity as Tax Administrator, the Treasury Division Manager, and the Business Tax Inspectors as the employees authorized to issue Orders to Comply for violations related to nonpayment of business taxes and other CCMC violations.

Police Department

The newly created Animal Services Officer will be authorized to enforce Title 10 of the Los Angeles County Code (adopted by Culver City); Chapter 9.01 of the CCMC relating to Animals & Fowl; the rules and regulations at the off-leash dog park; and pooch path regulations.

In sum, it is important that the titles of the designated employees and their respective enforcement duties be accurately reflected. Adoption of the proposed Resolution will accomplish this task.

FISCAL ANALYSIS:

There is no fiscal impact associated with the adoption of this Resolution.

ATTACHMENTS:

1. CCMC § 1.01.060 (B)
2. Resolution No. 2004-R016
3. Resolution No. 2004-R083
4. Proposed Resolution 2009-R_____

City of Culver City, California
City Council Agenda Item Report

MOTION:

That the City Council:

Adopt the Resolution authorizing by title certain City officers and employees to enforce and issue Notices of Violation, Orders to Comply and/or citations for certain violations of the Culver City Municipal Code, and rescinding Resolution Nos. 2004-R016 and 2004-R083.