

William Simmons - Citizens' Affairs Board Complaint

From: <lwbrkn2@comcast.net>
To: "simmons, bill" <wsimmons@northglenn.org>
Date: 4/25/2011 6:17 AM
Subject: Citizens' Affairs Board Complaint

Bill:

Below is the Citizens' Affairs Board report to Council re/ an initial garage sale complaint. The Board's Code enforcement research kept revealing additional data relating to the basic complaint and now requires Council's attention to resolve the continuing problem of deteriorating homes and neighborhoods in the City.

Thanks to you and your staff for the cooperation in answering the Board's many questions.

Lee

MAYOR AND COUNCIL:

The Citizens' Affairs Board, as citizen advocates, strongly supports Council's goal of creating a "Clean and Beautiful City" and protecting every citizen's property values against neighborhood blight and deterioration. The Board submits this report of findings and recommendations regarding the implementation of some aspects of code enforcement. The recommendation stems from an original complaint of multiple week-end garage sales from a single residence. The Staff's reference to its historical statistics revealed that garage sales are only symptomatic of a much more extensive problem of code enforcement throughout our city.

FINDINGS:

The Director of Planning and Development has responded that the NSO's, work 4-ten hour days. Due to this, there is nobody to work on weekends. As originally constituted, the City was covered by code officers 7 days per week. In 2005, mainly due to the frustration of citizens that "nothing was being done" by our Code Department, and our city's appearance was declining at an alarming rate, an ad hoc committee was formed which resulted in the "Clean Sweep" program of 2006-7.

To implement "Clean Sweep" Council approved two additional Code Enforcement officers, and one administrative specialist(CB-1556, Series 2006) to ensure all the city could be swept in a timely manner to meet Council's goal of a "Clean and Beautiful city". After the "Clean Sweep" goal was obtained, the "Neighborhood Services Officer Procedures Manual"(NSOPM) was created in 2007-09 to ensure uniform operating procedures to maintain those high standards in keeping with the City's goals of a "Clean and Beautiful City". Significant parts of the NSOPM are referenced in Exhibit A. There are currently 7- NSOs: One for each Ward, an abatement officer, administrative clerk and a supervisor to enforce the new procedures in the NSOPM.

In early April, members of the CAB drove random streets in each Ward and recorded obvious code violations. The CAB found a total of 160 violations during a 2-hour survey(not counting

"Winter" code exceptions). A summary of the violations found are referenced in Exhibit B. They indicate that the appearance of homes and neighborhoods are continuing to decline in violation of the Council's stated goal of a "Clean and Beautiful City" and in violation of the "Purpose and Mission" of the "Neighborhood Services Officer Procedure Manual". Despite the City's statistical logs reflecting many citizen's calls and NSO's pro-active work, the results do not support "the highest quality municipal services at the least cost to City residents".

The continued deterioration of homes and neighborhoods in our city requires more presence from our NSO's than the 4-ten hours/week now worked. This schedule necessarily leaves the two-day weekend without effective enforcement of the codes when activities, construction and repair work are being done. It is not the job and responsibility of citizens to document code violations in the absence of NSO's.

RECOMMENDATION:

It is recommended that the NSO's workweek of 4-ten hour days/week be changed to 5-eight hour days/week and NSO's be assigned a schedule that will provide weekend coverage. An effective method of reporting and verifying violations to an authority on the weekends is lacking. The Board does not recommend adding additional NSO's to accomplish this task.

In the alternative, the Board recommends following the policy adopted in CR-80 (2009) that the Staff provide Council with a "mandatory bid process for this service as the best way to provide the highest quality municipal services at the least cost to the City residents".

The Citizens' Affairs Board

EXHIBIT A:

"Municipal Ordinance Guidelines--It shall be the procedure of Neighborhood Service Officers (NSO) to enforce the "municipal ordinances" of the City of Northglenn in accordance to the LETTER and SPIRIT in which they were drafted". Neighborhood Services Officer Procedure Manual(NSOPM), Art. IV, Ch. 1, p. 44.

"Mission--It is the MISSION of the NSO to promote the health, safety, and welfare of the community within the City of Northglenn by providing fair, efficient, and consistent enforcement of municipal codes and ordinances---that will ultimately make Northglenn a place in which residents and visitors alike will want to invest time, effort, and resources". NSOPM, Art 1, Ch. 1, p. 6.

'Focus--It will be the FOCUS of the NSO to support the City by--Striving to address calls for service in a timely and efficient manner---Striving to continually work with the community to establish buy-in and pride in their PROPERTIES, their NEIGHBORHOODS, and their NORTHGLENN". NSOPM, Art 1. Ch. 2, p. 7.

"Duties--Application--This position is responsible for maintaining and supporting neighborhood standards and interacting with the community to ENSURE PROPERTY MAINTENANCE. NSOs may be asked to work after hours or on days off as necessary". "Essential Duties and Responsibilities--Canvass the City to ensure property maintenance codes pertaining to landscape, junk vehicles, litter, and other specific municipal

laws are followed. Responds to complaints from City staff and citizens. Maintains a daily log of activities in the field". NSOPM, Art. 2, Ch. 1(3, 3.1), pgs. 8,9.

"Response Times--Procedure--Adequately responding to the community is paramount in fulfilling our mission. Application--Calls for service must be regarded as a top priority. Extreme effort should be taken to ensure that the response to the community is within the determined time-lines. New cases--All new cases must be completed before the end of the following scheduled business day". NSOPM, Art. 3, Ch.1(1),(3),(3.6) pgs. 20, 21.

EXHIBIT B

Random Street Survey of Code Violations in Northglenn:

No. Homes Surveyed.....	867
Streets Surveyed.....	24
Prkg. on Unapproved Surface*.....	47
Improper Strg. of Trash Con't.....	64
Litter.....	16
Dead Tree.....	12
Illegal Vehicles.....	3
Fence in Disrepair.....	7
Motorhome Parked on Street.....	4
Trailer on Street, POD, Paint.....	5
Total Violations.....	158

*Municode, 11-7-3(c)(2), 11-5-2(b)(67). This Ord. has not been enforced due to "Grandfathering" but remains on the books. The Code should be either re-written to allow this type of violation in our neighborhoods or upgrade the standards of an approved hard surface in keeping with Council's Goal of a "Clean and Beautiful City".

Citizens' Affairs Board

Secretary / Ward I

Vacant

Term Expires: 11/08/2012
(unexpired term of Regan Zupan)

Regular Member / At Large

Steve Koch

Initial Appointment: 02/25/2010
Term Expires: 12/13/2012

Regular Member / Ward II

Dwight Kimsey

11762 Keough
Northglenn, CO 80233
(303)452-1125

dwkimsey@comcast.net

Initial Appointment: 06/17/2010
Term Expires: 05/24/2012

Chairman / Ward IV

Lee Brown

10472 Zuni Street
Northglenn, CO 80234
(303) 280-2544

lwbrkn2@comcast.net

Initial Appointment: 01/28/2010
Term Expires: 01/28/2015

Ward III

Vacant

Term Expires: 06/17/2015
(To fill unexpired term of Mildred Griffin)

Clerk to Board: Crystal Messick, 303-450-8756

PLANNING AND DEVELOPMENT MEMORANDUM
#11-16

June 16, 2011

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: William Simmons, City Manager *WAS*
James Hayes, Director of Planning and Development *JH*
Jennifer Wing, Neighborhood Service Officers Supervisor

SUBJECT: Response to Citizens Affairs Board (CAB) / Code Enforcement

This memorandum has been prepared in response to the Citizens Affairs Board (CAB) report regarding the Neighborhood Services Division of the Department of Planning and Development.

The original concern filed with the CAB was for a resident that was having repeated yard sales on the weekend. There was a total of seven yard sale complaints filed in 2009, six in 2010, and one to date (for the resident's first garage sale of the year) this year. The current procedure for the Neighborhood Services Division in response to a yard sale complaint is to first inform the resident of the two sales per year limitation. This education and the current sale are documented in the division's records management system. If the City receives another complaint on the same residence within that year, a request is sent to the Community Services Officers (CSO) of the Police Department to observe and document (photograph) future sales during the weekend hours. If it is discovered that after being given notice there has been more the two documented sales a citation could be served to the property occupant during the week by a Neighborhood Service Officer (NSO). To date it has not been necessary to issue a citation for having too many yard sales.

The Neighborhood Services Division is staffed with one supervisor, one administrative specialist, one abatement coordinator, and four NSOs that currently work Monday through Friday from 7:00 a.m. to 5:30 p.m. This schedule was selected to allow the NSO to be available to the citizens beyond the regular business hours of operation for city hall, 8:00 a.m. to 5:00 p.m., and the maintenance and operations staff, 7:00 a.m. to 3:30 p.m. This provides the opportunity to make contact with residents before or after most working schedules to work together for compliance. As NSO calls for service are not of an emergent nature, weekend coverage is not provided. A partnership has been in place since 2008 with the CSOs in the Police Department to document any necessary violations during the weekend hours for enforcement action by the NSO. To date this procedure has been utilized successfully for the enforcement of violations.

The original findings from the Citizens Affairs Board make reference to the creation and implementation of the Clean Sweep program. Specifically, they are referencing an ad-hoc committee, which resulted in the Clean Sweep program of 2006-2007. The ad-hoc

committee mentioned in the CAB findings is the Housing Task Force (HTF). The focus areas of the HTF was a residential vision for a strategic housing plan, neighborhood involvement for re-development, a marketing and PR plan to get resident buy-in to the new housing plan, to review and revise the code enforcement process to gain efficiency, and to improve the loans and grants provided by the city. The HTF reviewed the code enforcement process in use at the time and made the following recommendations. They recommended modifying Clean Sweep to be an inspection process, the addition of the administrative citation process (Chapter 19 Municipal Code), and the modification of the non-resident owner registry ordinance (Chapter 20-2). The Clean Sweep program was an education campaign that was created by Phil Nelson, City Manager in 2005 and modified by the HTF in 2006.

Percentage of homes found to be in violation of code during Clean Sweep (by year):

- 2006 42%
- 2007 37%
- 2008 27%
- 2009 24%
- 2010 26%

2010 was the first year that the entire city was inspected in one summer and there were 26% of the homes in violation. Clean Sweep is continually improved every year to improve and expand its impact and has become essential for keeping neighborhoods clean. The administrative citation process was and the non-resident owner registration was adopted by Council.

Total homes receiving citations (by year):

- 2006 163
- 2007 351
- 2008 98
- 2009 69
- 2010 87

The Neighborhood Service Officers Procedure Manual was drafted in December of 2007 by the NSO staff to create a more consistent frame work to guide the NSO through the enforcement process. This manual was not related to the Clean Sweep program and was a direction given by new management to further increase the efficiency of the division.

The NSO division has an average of 91% proactive (NSO initiated) enforcement for violations throughout the city; citizen complaints account for 9% of the cases handled. In an effort to continually improve our processes, a particular effort has been made to improve the response time to citizen complaints.

In 2009, 85% of the calls for service were address within two working days, while in 2010, 95% of calls for service were addressed within two working days. The division is

working to find ways to also improve the duration of time a case is active. In 2009, 67% of cases were finished within one month and 96% within six months. In 2010, 77% of cases were finished within one month and 98% within six months. NSOs have established relationships with the national banks, mortgage servicers, management companies, and real estate agents to expedite the clean-up of vacant properties. In a cost savings effort the money for contractor abatements and two NSOs was eliminated in 2009. This resulted in a savings around \$150,000.00 from the NSO budget. Despite these reductions the level of service has not diminished due to the efforts of the current NSO staff.

Abatements are performed by the NSO staff in absence of a contractor. During 2009 there were 87 abatements conducted resulting in \$56,338.32 of liens placed. In 2010, a total of 99 abatements took place resulting in \$48,514.13 of liens placed. The Clean Sweep program was expanded in 2010 to include all 9,010 residential homes in the inspection program.

The Uniting Northglenn Together Against Graffiti (U.N.T.A.G.) program was expanded to include free graffiti removal for victims of graffiti in the community. There were 208 graffiti abatements performed in 2010 resulting in 6,458 square feet of graffiti removed for the residents of Northglenn. As of May 2011 there have been 129 graffiti abatements, removing 3,417 square feet of graffiti. This is a 69% increase of the same time frame in 2010. A list of additional services provided by the NSOs in addition to the regular duties required has been attached to this document.

In summary the NSO division is continually evaluating, improving, and expanding on the services provided to the residents of Northglenn. The philosophies embraced in the mission and focus statements are a constant guide to the high level of service provided to the citizenry. The CAB information includes quoted sections from the NSO Procedures Manual, and complete sections from that document are included in the excerpts below:

Purpose & Mission

A. Purpose:

The purpose of this manual is to provide Neighborhood Service Officers (NSOs) with written procedures to guide their daily work and to ensure that all officers are operating uniformly in a clear and consistent manner. This will align the practices and direction of the Neighborhood Service Officers with the goals and objectives of the City.

B. Mission:

It is the mission of the Neighborhood Service Officers to promote the health, safety, and welfare of the community within the City of Northglenn by providing fair, efficient, and consistent enforcement of municipal codes and ordinances by building partnerships with the community. Our focus is to develop solutions that will provide a positive lasting effect that will promote the public's confidence in

the vitality of our City, and that will ultimately make Northglenn a place in which residents and visitors alike will want to invest time, effort, and resources. This can be accomplished by working with residents, business leaders, community groups, other City departments, and outside agencies to identify neighborhood problems and develop lasting solutions.

Focus Statements

It will be the focus of the Neighborhood Service Officers to support the City by:

- Providing fair, productive, and uniform solutions.
- Providing education on existing ordinances and offering effective solutions for citizens to bring deficiencies into compliance.
- Developing positive relationships with the community in which we serve and becoming a liaison to bridge the gap between the community and City government.
- Striving to maintain the image of a liaison in which the community trusts and sees as a problem solver who cares about the citizen's interests and the vitality of the community.
- Striving to address calls for service in a timely and efficient manner.
- Striving to continually improve the way we do business to provide the community with the most efficient and cost effective solutions.
- Continually working with other departments and agencies to share information and provide solutions for situations that are beyond the scope of services we provide.
- Never use strict enforcement as a quick solution but as a last resort and only when all other avenues have been exhausted.
- Striving to continually work with the community to establish buy-in and pride in their properties, their neighborhoods, and their Northglenn.

STAFF CONTACT:

If Council members have any comments or questions they may contact James Hayes at 303-450-8937, jhayes@northglenn.org.

ATTACHMENTS:

Extra Duties Performed by NSO Division
Clean Sweep Comparison Chart 2006-2010
Top Ten Violations 2009
Top Ten Violations 2010
Top Ten Violations 2011 (through May)



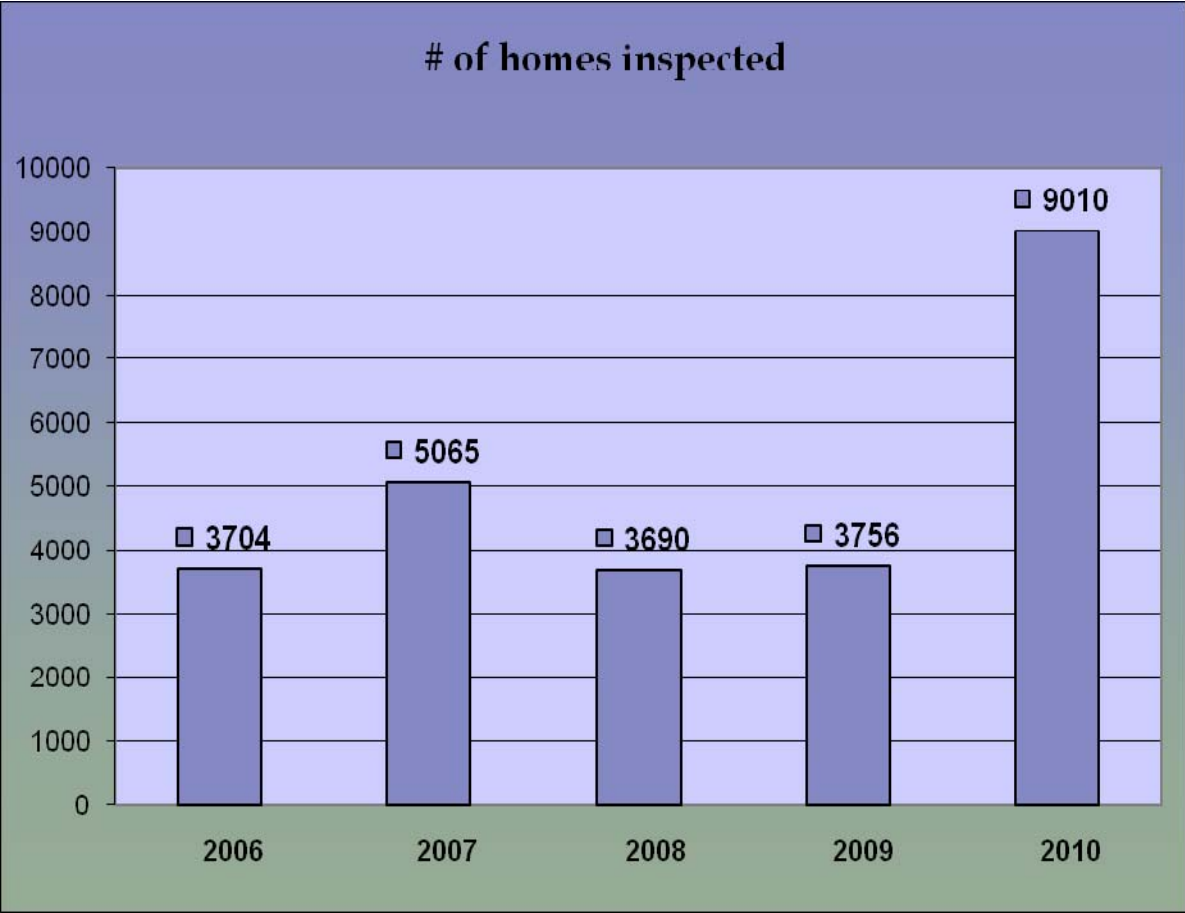
Extra Duties Performed by NSO Division



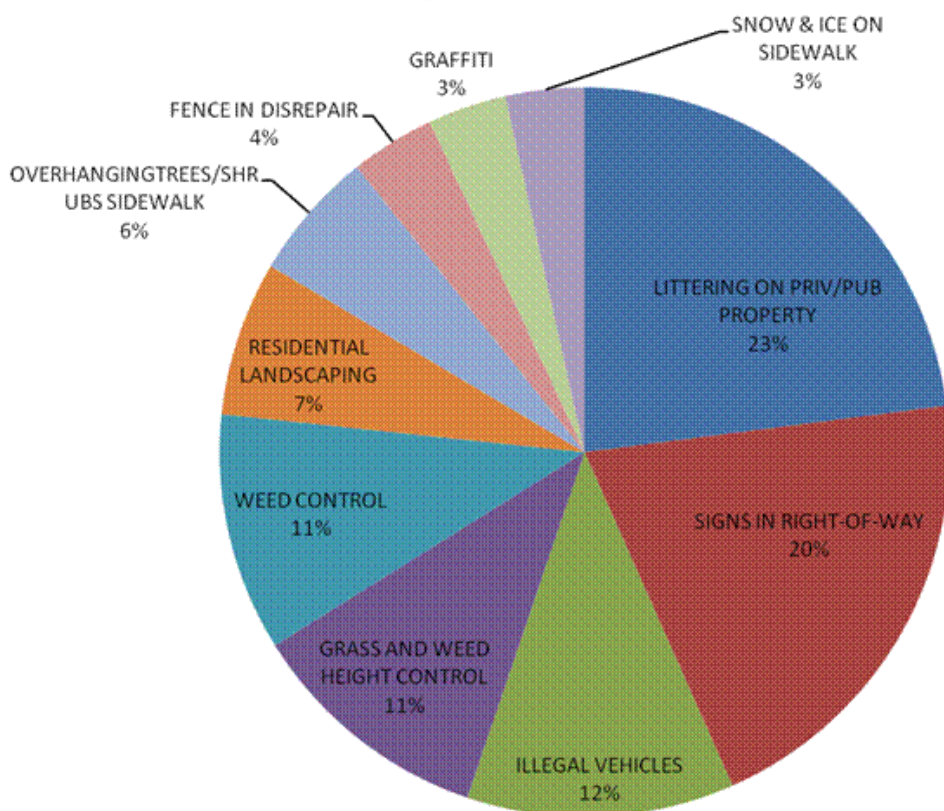
- Jennifer Wing- Board Member and Membership/Public Relations Committee for the Colorado Association of Code Enforcement Officials (CACEO), Adams County Graffiti Task Force, Coffee with the Cops, Organize Community Projects, Grant Writing, Snow Stormers, Colorado Code Managers Group, Uniting Northglenn Together Against Graffiti (U.N.T.A.G.), Council Ward Meetings, Council Meetings
- Tom Carlson- School and Group Graffiti Trainings, Knights in the Neighborhood Parents Group, Snow Stormers, Grant Writing, Organize Community Projects, Education Committee for the Colorado Association of Code Enforcement Officials (CACEO), Uniting Northglenn Together Against Graffiti (U.N.T.A.G.), Council Ward Meetings
- Julie Mangum- International Property Maintenance Code (IPMC), Environmental Crimes Task Force, Snow Stormer, Grant Writing, Uniting Northglenn Together Against Graffiti (U.N.T.A.G.), Council Ward Meetings
- Mike Travis- Metro Area Graffiti Task Force (MAGTF), Abatement Back-up, Snow Stormers, Snow Plow Back-up, Trash Back-up, Grant Writing, M&O Grounds Maintenance, Uniting Northglenn Together Against Graffiti (U.N.T.A.G.), Council Ward Meetings
- Nathan Buxton- Vacant Property Tracking, Adams County Graffiti Task Force, Snow Stormers, Grant Writing, Organize Community Projects, Anniversary Committee Chairman for the Colorado Association of Code Enforcement Officials (CACEO), Uniting Northglenn Together Against Graffiti (U.N.T.A.G.), Council Ward Meetings
- Terry Cordova- Metro Area Graffiti Task Force (MAGTF), Snow Plow Back-up, Snow Stormers, Uniting Northglenn Together Against Graffiti (U.N.T.A.G.), Council Ward Meetings
- Collette Cook- Noel Northglenn, Cover Front Desk at M&O

Clean Sweep Comparison Chart

Year	# of homes inspected	% of homes in city inspected	% in violation
2006	3704	36%	42%
2007	5065	49%	37%
2008	3690	36%	27%
2009	3756	36%	24%
2010	9010	100%	26%

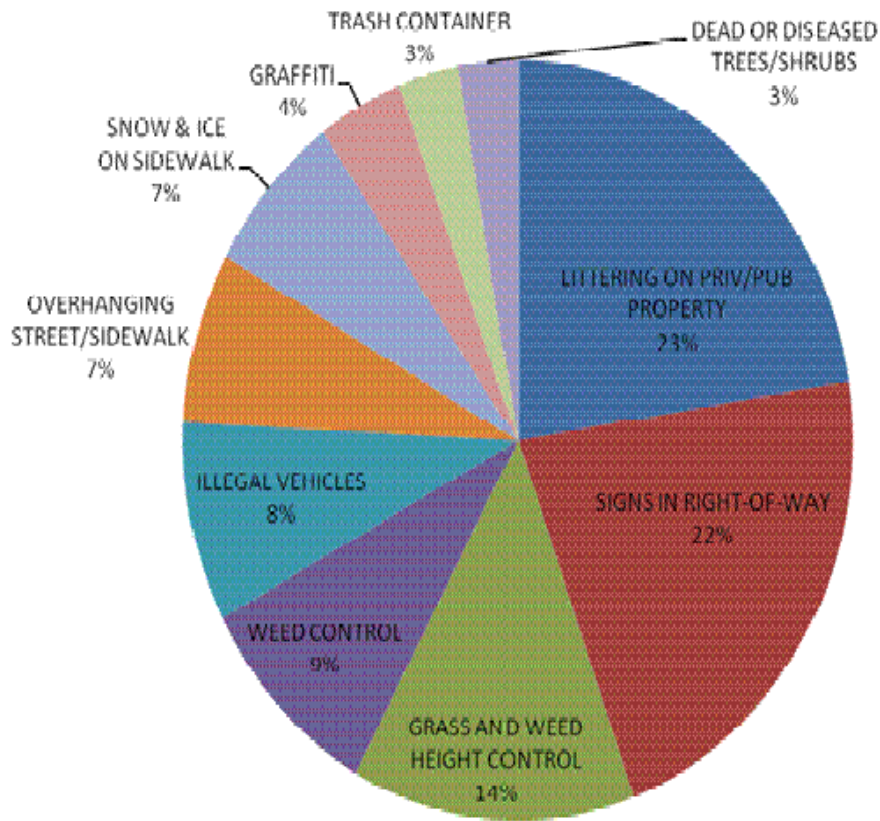


Top Ten Violations 2009



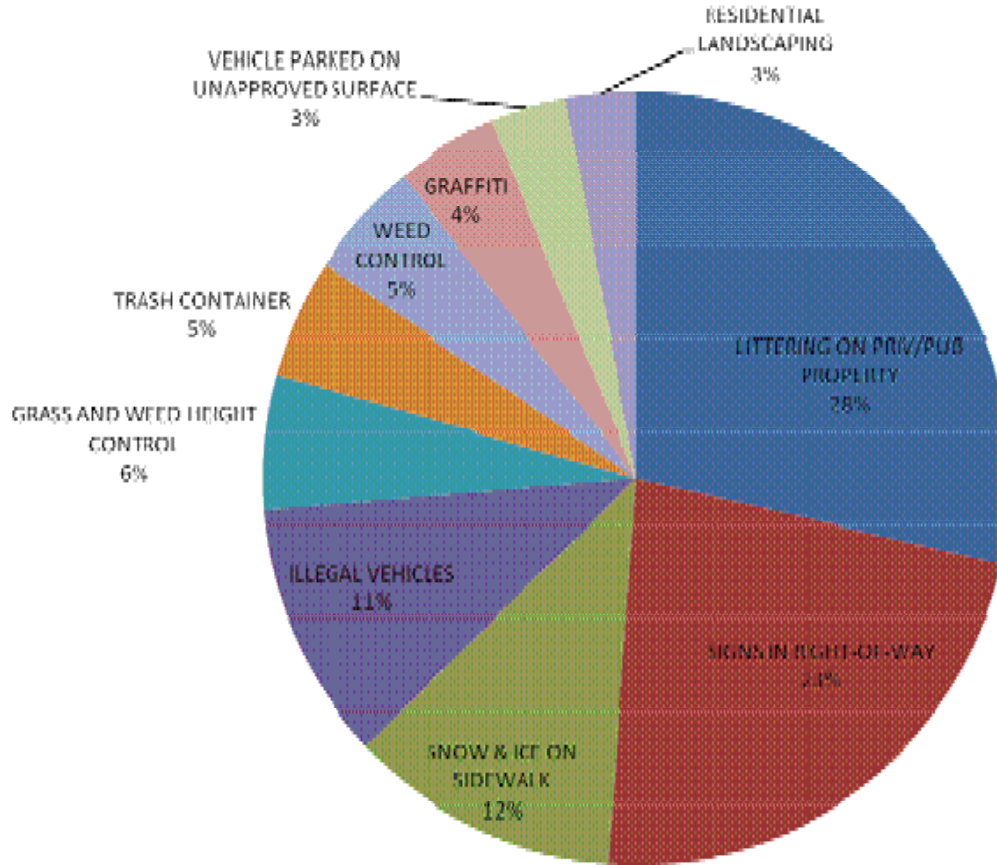
Littering-	1,161
Signs in Right-of-way-	1,031
Illegal Vehicle-	599
Grass Height Control-	552
Weed Control-	533
Residential Landscaping-	347
Overhanging Tree/Shrub-	291
Fence in Disrepair-	189
Graffiti-	177
Snow and Ice-	176
Total Violation 2009-	6,057

Top Ten Violations 2010



Littering-	1,009
Signs in Right-of-way-	981
Grass height Control-	614
Weed Control-	414
Illegal Vehicle-	380
Overhanging-	327
Snow and Ice-	316
Graffiti-	185
Trash Container-	132
Dead Trees/Shrub-	127
Total violations 2010-	5,273

Top Ten Violations 2011 Through May



Littering-	520
Signs in right-of-way-	414
Snow and Ice on Sidewalks-	213
Illegal Vehicles-	196
Grass Height Control-	103
Trash Container-	91
Weed Control-	90
Graffiti-	80
Unapproved Surface-	60
Residential Landscape-	56

Total violations through May of 2011- 2,106