



City of Tracy  
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September 19, 2018

Honorable Linda L. Lofthus, Presiding Judge  
Superior Court of California, County of San Joaquin  
180 East Weber Avenue, Suite 1306J  
Stockton, CA 95202

**Re: Grand Jury Report: 2017-2018 Case No. 0117 – Code Enforcement Departments of San Joaquin County**

Honorable Judge Lofthus:

This letter responds to the above-referenced Grand Jury Report in accordance with California Penal Code sections 933 and 933.05. The City of Tracy's response relates only to the findings and recommendations contained in the Grand Jury Report.

***Finding F5.1***

*Tracy is still experiencing budget and staffing reductions created by the housing crash in 2008. The resulting level of enforcement is reactive, which allows blight and safety issues to continue.*

The City disagrees with this finding.

Staffing levels in the City's Code Enforcement Division were not affected during the housing crash in 2008 and subsequent recession. Over the past 18 months, the City has increased its focus on quality of life issues affecting the Tracy community. As part of the City of Tracy's Quality of Life Strategic Priority, the Tracy City Council authorized during its approval and adoption of the 2017-19 fiscal budget, an increase in Code Enforcement staff from two Code Enforcement Officers, one Administrative Assistant, and one Code Enforcement Manager to four Code Enforcement Officers, one Code Case Analyst, one Administrative Assistant and one Code Enforcement Manager.

In an effort to address community concerns related to code compliance and to increasing the quality of life, the City has been proactive in adopting ordinances and utilizing various enforcement tools, as follows:

Ordinances:

- requiring retailers to submit a shopping cart removal prevention plan to the City to address the issue of abandoned shopping carts,
- prohibiting parking of vehicles on unpaved surfaces,
- restricting the percentage of the front yard that may be paved on residential property, and
- establishing standards and permit requirements for temporary storage containers on residential property.

Enforcement Measures:

- Caseloads for the periods January 1, 2017 to August 28, 2017 and January 1, 2018 to August 28, 2018:
  - For the period January 1, 2017 to August 28, 2017
    - Cases investigated – **766**
    - Cases closed – **727**
  - For the period January 1, 2018 to August 28, 2018
    - Cases investigated – **1,151**
    - Cases closed – **1,081**
- From January 2, 2018 to August 31, 2018:
  - Issued 134 Notices and Orders/Orders to Abate or Show Cause.
  - Issued 27 Administrative Citations with fines ranging from \$100 to \$500 each.
    - Fine amounts paid to the City for Administrative Citations in 2017 – **\$600.00**
    - Fine amounts paid to the City for Administrative Citations in 2018 – **\$2,238.00**
  - Processed and administered 17 Notice and Orders related to Fire Prevention violations.
  - Completed 11 public nuisance and graffiti abatements within the City's right-of-way.
  - Obtained and completed warrants for inspection of nuisance properties.
- Code Enforcement staff also investigated and prepared evidence for the City Attorney's Office to initiate litigation of three cases for judicial review, including actions for public nuisance abatement and receiverships, in the past calendar year.

Community Outreach:

- Increased participation with Operation Helping Hands from once per month to twice monthly.
  - Operation Helping Hands is a multi-agency, multi-disciplinary team formed to provide street level collaboration of law enforcement and service providers. The team includes the Tracy Police Department, Tracy Code Enforcement, San Joaquin County Behavioral Health Services, Central Valley Low Income Housing, TRICARE medical service providers, the Tracy Health

Resource Center, a representative from a Veteran's organization, church representatives and other local, non-profit groups that provide assistance to the homeless.

- Providing education on the implementation and enforcement of newly adopted ordinances, including the shopping cart removal prevention plan ordinance, the ordinance prohibiting parking on unpaved surfaces, and the ordinance establishing standards and permit requirements for temporary storage containers on residential properties.
- Code Enforcement staff also participated in and/or attended the following:
  - Eight (8) San Joaquin County Homeless Task Force meetings.
  - Eight (8) Neighborhood Watch Meetings, which included a presentation before the Police Chief's Citizen Advisory Group.
  - Presentations on current trends in code enforcement to the Tracy Chamber of Commerce (2), Tracy Board of Realtors (3), and the Breakfast Lions Club (1).

### ***Recommendation R5.1***

*Tracy explore budget options to restore the code enforcement officer position and consider using volunteers to increase code enforcement compliance.*

This recommendation has been implemented.

No reduction in Code Enforcement staffing occurred during the 2008 housing crash. Code Enforcement staff increased when the Tracy City Council approved two additional Code Enforcement Officer positions and one Code Case Analyst position during the City's 2017-19 fiscal budget approval and adoption.

The City of Tracy Code Enforcement Division does not have a formal volunteer program. However, through a partnership with the San Joaquin County Probation Department, court-ordered volunteers have been enlisted to assist the Code Enforcement Division through their "alternative sentencing" program. This program offers an offender the option of completing a set number of hours of unpaid work in a nonprofit organization in lieu of a fine or spending time in prison. These volunteers assist with illegal sign removal within the City right-of-way and other blight-related assignments. These volunteers do not have personal contact with the community in the course of providing their services. In 2017, the volunteers provided approximately 120 hours of assistance to the Code Enforcement Division.

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The City appreciates the opportunity to respond to the findings and recommendations contained in the Grand Jury Report.

Sincerely,



Robert Rickman, Mayor  
On Behalf of the Tracy City Council