



Memo

DATE: February 10, 2015

TO: Common Council and Mayor Nickels

FROM: Nic Sparacio
Community Development Director

RE: Compliance Issues Action Plan

Concerns about the timeliness and responsiveness of my department to compliance issues and citizen complaints are shared by staff, elected officials, and citizens alike. Our Inspection team recently conducted a series of rapid improvement events to address these concerns, and I would like to report on the results. I am presenting these thoughts to you for your review and consideration, because I am asking for your support on the attached action plan. If I have your support, I will then take the next steps to communicate, refine, and implement the plan.

We conducted the rapid improvement events for the purposes of articulating our priorities and formulating an action plan. These were achieved and are explained below. A set of guiding principles and assumptions also came out of our discussion which are detailed first as context to the priorities and action plan.

Guiding Principles and Assumptions

Key points of consensus served as the foundation to advancing the discussion throughout this process. These statements reflect much about the “current state” and the “desired future state” and must first be validated by all parties involved if the action plan is to be successful.

1. Prioritization is necessary based on the volume of incoming issues compared to staffing levels.
2. The most visible compliance issues are not necessarily the most dangerous to human life and health.
3. Timely response to the most visible issues is important for neighborhood health and will require creative solutions and the help of other departments.
4. Timely response to the most dangerous structural, plumbing, or electrical issues requires the expertise of Inspection staff (as opposed to other collaborating departments or agencies).
5. If the appropriate responding person did not directly receive a complaint over the phone or in person, such a complaint should get an initial response (communication) within one business day to let the complainant know that their concerns were received and will be responded to accordingly.
6. Reducing the time to actually resolve a compliance issue does not always equate with handling it correctly.
7. On the larger scale of Inspection work, most often the higher priority is issuing permits applied for and inspecting permitted work (i.e., new construction, remodeling, etc.). Compliance issues are important, but must generally be addressed after permitted construction projects are inspected.
8. Code and Contact (Springbrook) is the central system for issue tracking and must be kept up to date to be of the most value to us.

Compliance Issue Prioritization

As noted in the guiding principles above, prioritization of our responses to compliance issues is necessary. As with any prioritization process, the desired outcome is the ability to respond to the most important issues first. The following priorities are not new, but have perhaps never been specifically articulated for the purpose of communication beyond our Inspection team.

1. Life-Safety Issues
 - a. Defined: This compliance issue puts people in imminent physical danger.
 - b. Reason: These represent potentially immediate threats to human life.
 - c. Examples: structural deterioration or failure, lack of occupancy permit, permits expired without final inspection, notice of utility disconnect or squatters, vision triangle obstruction
2. Public Health Issues
 - a. Defined: This compliance issue exposes people or property to substantial risk of disease, infestation, or other unsanitary conditions.
 - b. Reason: These represent potential threats to human health.
 - c. Examples: long term garbage on the terrace, garbage in the yard, infestation
3. Unknown Issues
 - a. Defined: This compliance issue must be investigated to some level and could very well be a life-safety or public health issue.
 - b. Reason: Same as 1 and 2, but until an imminent threat or exposure is identified, it must fall behind known threats and exposure risks.
 - c. Examples: damaged electrical equipment (e.g., mast or other support elements), tenant calls on minimum housing standards, work started without a permit
4. Performance on Zoning or Permits Issued
 - a. Defined: This compliance issue results from a permit or other approval issued by the city where our staff are obligated to enforce codes.
 - b. Reason: Inspection staff are the technical experts in these areas. The city is obligated by issuance of a permit or other approval to ensure compliance. The underlying codes and ordinances were adopted for the protection of public health, safety, and general welfare.
 - c. Examples: non-compliance on building/plumbing/electrical permitted work, covered electrical service/siding issues, occupancy without insurance certificate, projecting sign/canopy indemnification, zoning performance on conditions of approval
5. Neighborhood/Business Deterioration Issues
 - a. Defined: This compliance issue is neither a life-safety issue nor a public health issue, and no obligation exists under a permit issued, but contributes to the deterioration of a neighborhood or business district.
 - b. Reason: While these are important issues that can eventually lead to more serious risks of threat to health or safety, there is no immediate threat. These are often less technical in nature and do not necessarily require the expertise of an inspector to respond.
 - c. Examples: noise, exterior conditions of house or business (paint, siding, disrepair), vehicles parked on lawn, furniture/mattress/appliance at the curb, junk in the yard, outdoor storage or junk at a business, junk/inoperable/unregistered vehicles, business vehicle in residential district, home-occupation or other business operating without

permit, fencing construction or maintenance issues, business modified or expanded without zoning or site plan, water drainage/diversion issues

6. Unsubstantiated or Covered by Others

- a. Defined: This is a complaint where no evidence has been provided to suggest that it might fall into one of the categories above, or a complaint that is already handled by another city department or agency.
- b. Reason: We have no authority or jurisdiction to respond.
- c. Examples: snow removal issues, grass cutting issues, complaints where city has no jurisdiction, neighbor curiosity

Action Plan

While a series of rapid improvement events was used to develop this action plan, neither the problem nor the response is simple or easily measured. The action plan itself must then consist not only of specific tactics and strategies, but also of continued planning. Further planning will establish baseline metrics, clarify the goals and evaluate progress on the basis of these metrics, and provide for ongoing communication.

Establish Baseline Metrics

Using Code and Contact, baseline metrics will be established for the following current state conditions:

- Time to get issues into Code and Contact from sources (email, paper records, etc.)
- Time to initial response (communication back)
- Number of visits to resolve issues
- Time to resolve issues
- Quality or completeness of the results

Clarify Goals and Evaluate Progress

Once baseline metrics are established, the following general goals can be made more specific and reviewed for progress with periodic reporting:

- Eliminate all other sources – Code and Contact becomes realtime
- Reduce time to initial response (communication back) to no more than one business day
- Reduce number of visits to resolve issues
- Reduce average time to resolve issues
- Increase time available to resolve the highest priority issues

Communication

Given the large number of both internal and external stakeholders, ongoing communication will be necessary. When priorities are set or revised, community expectations will also be adjusted if the plan has support.

- Inform the community of these changes and priorities
- Elected officials, Community Update, social media, news media
- Contractors and other stakeholders

Strategies and Tactics

The following specific actions will produce improved results in how we respond to compliance issues and complaints.

| Action | Leader/Support | Completion |
|--|---------------------|--------------------|
| General | | |
| 1. Do some training/refresher course for Code and Contact –bring in all departments that use it | Lisa/IT | By 2/28/2015 |
| 2. May need some changes to Code and Contact: priority level, standard questions for issue types, date tracking/calcs, forwarding feature, integrating “Report a Concern” tool from website, others? | IT/Dept Heads | By 12/31/2015 |
| 3. Standard questions and a flowchart is needed for landlord/tenant issues in particular | Rick/Lisa | By 3/31/2015 |
| 4. Eliminate projecting sign/awning annual permit – rely on hold harmless (sidewalk privilege) agreements | Nic/Dan Koski, Rick | By 3/31/2015 |
| 5. Create business registration system | Nic/Greg Kadow | By 6/30/15 |
| Enhance Collaboration | | |
| 1. Meet with Fire, Police, and Public Works to review this action plan | Nic/Rick | By 2/28/15 |
| 2. Meet bi-weekly or monthly as Neighborhood Improvement Action Team for regular communication on execution of this plan | Rick/Nic | Starting in 3/2015 |
| Establish Procedures | | |
| 1. Routine referral of all issues that can be handled by Police and Fire | Lisa/Nic | Starting in 3/2015 |
| 2. Prompt removal of front yard/highly visible trash/furniture/other dumping – one visit approach | Rick | Starting in 4/2015 |
| 3. Inspectors focus on priorities 1 through 4 | Inspectors/Lisa | Starting in 3/2015 |
| 4. Intake calls/emails attempt to eliminate priority 3 and 5 or immediately refer priority 5 to others <ul style="list-style-type: none"> a. Obtain all contact info (phone and email) b. May require a picture or video (evidence) of the issue in some cases | Lisa/Inspectors | Starting in 3/2015 |
| Start Fresh | | |
| 1. All compliance issues more than one year old will be closed with no further action (unless a response is already in progress and ongoing) | Rick/Lisa | By 3/31/2015 |
| 2. All compliance issues more than 30 days old that are priority 5 or 6 will be closed with no further action (unless a response is already in progress and ongoing) | Rick/Lisa | By 3/31/2015 |

CC: Inspection Staff
Fire Chief Todd Blaser
Police Chief Tony Dick
Dan Koski, Director of Public Infrastructure
Kathleen McDaniel, City Attorney