

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO: Honorable City Council**

**FROM: David A. Bobardt, Community Development Director** 

**DATE: May 11, 2015 (CC Meeting of May 20, 2015)**

**SUBJECT: Consider Update in Implementation of Improvements to Moorpark Zoning Compliance, Tracking, and Reporting**

**BACKGROUND**

On June 9, 2014, the Ventura County Grand Jury provided the City Council, City Manager, and Community Development Director with a Final Report of its investigation entitled, "Moorpark Zoning Compliance, Tracking, and Reporting." The City Council considered and adopted a response to this report at its July 16, 2014 City Council meeting. This report provides an update on the implementation of the Grand Jury recommendations.

**DISCUSSION**

The following are the recommendations of the Grand Jury report (*in italics*), followed by the current status for implementation.

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*R-01: City Council to re-examine its policies, procedures, and training materials to include directives that emphasize the risks involved to the City in working out inappropriate, undocumented agreements between the City and permit applicants or Municipal Code violators.*

**Status:** Policy 4.3 of the City Council Policies Resolution (currently Resolution No. 2015-3378) has been updated to include direction for written documentation of a plan of action for a code compliance case through the office hearing process.

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*R-02: City Council to direct the Community Development Department to develop and adopt a unified and robust solution for maintaining permit and Municipal Code*

*compliance status information critical to producing current and historical status reports and supporting independent audits of the Community Development Department.*

**Status:** As an interim solution, Community Development Department logs for code compliance and permits have been updated for cases beginning in 2015 to include status information. On May 6, 2015, the City Council approved the purchase of finance, permitting and code compliance software that will integrate these systems and provide for improved current and historical status information. Implementation of the new software is anticipated during the 2015-2016 fiscal year.

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*R-03: Community Development Department to use a centralized computer database solution for maintaining status. This database should be based on a date-stamped log of each significant transaction step during the processing of permits or Municipal Code violations. For example the database should include memoranda and e-mails sent/received; permit applications received; and permits granted. Copies of scanned documents sent to or received from clients should be preserved in the database. Links to these documents should be included in the corresponding status log record. Multiple violations and compliance actions on a property should be tracked independently but linked so that consolidated reports can be generated.*

**Status:** All written communications have historically been maintained in paper files. The current Community Development Department logs for code compliance and permits do not have the capability of incorporating date-stamping and communication records as recommended. On May 6, 2015, the City Council approved the purchase of finance, permitting and code compliance software that will provide for date-stamping and the incorporation of communications. Combined with the City's current electronic imaging software, this new software will greatly improve the organization of computer records, including memorandums, e-mails, applications, documents, correspondence, code compliance actions, etc.. Implementation of the new software is anticipated during the 2015-2016 fiscal year.

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*R-04: Community Development Department-prepared status reports of Municipal Code compliance-related issues should be automatically producible from the status log database, without the need to manually cut and paste or manually enter/edit data into the report files. Multiple violations on a property should be displayable independently as well as consolidated.*

**Status:** This will be addressed in the new code compliance software, approved for purchase by the City Council on May 6, 2015. Implementation of the new software is anticipated during the 2015-2016 fiscal year.

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*R-05: Community Development Department database solution to have the capability of exporting selectable historical status log information to a file that can be off-line filtered by common desktop computer software tools such as Microsoft Excel. This capability will provide greater transparency of Community Development Department operations by allowing more comprehensive auditing of activities recorded in the database.*

**Status:** This will be addressed in the new code compliance and permitting software, approved for purchase by the City Council on May 6, 2015. Implementation of the new software is anticipated during the 2015-2016 fiscal year.

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*R-06: Community Development Department database solution to facilitate transparency of the Community Development Department within the City. Reports generated should always flag cases exceeding critical time-limit attributes such as original expected compliance date or permit expiration date. The status should also indicate what the next significant action necessary will be and what is holding up the compliance process.*

**Status:** As an interim measure, the Community Development Department has included permit expiration dates in its bi-monthly reports to the City Manager. The new code compliance and permitting software, approved for purchase by the City Council on May 6, 2015, will expand the capability to track critical time limits. Implementation of the new software is anticipated during the 2015-2016 fiscal year.

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*R-07: City Council to critically examine the job descriptions of City employees who should be expected to have a role in monitoring or commenting on the effectiveness of CDD permitting and Municipal Code compliance activities. Explicit oversight tasks should be designated where appropriate in these job descriptions and employee performance reviews should include a review of how well these duties were performed. (Grand Jury Recommendation R-07)*

**Status:** On July 2, 2014, the City Council adopted Resolution No. 2014-3309, amending the Classification plan for the City Manager, Assistant City Manager, Deputy City Manager, Community Development Director, Planning Director, Planning Manager, and Principal Planner job descriptions, which included changes in language to more clearly emphasize the requirement for expertise in relevant municipal code to implement this recommendation. Employee performance reviews already have been based on the performance of tasks identified in the job descriptions.

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*R-08: Community Development Department to change its processes to provide for an independent critical review by a Municipal Code Subject Matter Expert (SME) of all permits and correspondence sent to permit applicants and Municipal Code violators.*

*The independent reviewer could be a Community Development Department employee or an outside consultant. However, this independent review should be done by an individual who did not participate in any aspect of the subject permit application process nor participate in the compliance process with the subject Municipal Code violator. The name of the independent reviewer (i.e., the "SME Approver") should be recorded in the status log database to establish accountability.*

**Status:** The Community Development Department has updated its written administrative policy that provides for oversight of different types of written communication, including permit approval letters at a staff level. As noted in the response to R-07, various job descriptions have been updated to address responsibilities for administration of the Municipal Code.

#### **STAFF RECOMMENDATION**

Receive and file.