

**BAY POINT MUNICIPAL ADVISORY COUNCIL  
CODE ENFORCEMENT COMMITTEE  
March 4, 2008**

Chairperson Siegfried called the regular quarterly meeting of the Code Enforcement Committee to order at 6:03 p.m. held at Ambrose Recreation and Park District, 3105 Willow Pass Road, Bay Point, California.

**MEMBERS PRESENT:** Garcia, Hoagland, Magleby, and Chairperson Siegfried

**MEMBERS ABSENT:** Gabor, and Kopitar

**APPROVAL OF AGENDA:**

M/Hoagland

S/Magleby

Members present approved the Agenda for March 4, 2008. Vote: 5-0

Councilwoman Kopitar arrived at 6:08 p.m.

**PUBLIC COMMENTS:**

None

**SHERIFF'S DEPT. REPORT – Lt. Mahoney**

Lt. Mahoney passed out copies and reviewed the statistics for the month of February including comparisons from the same time last year.

Councilwoman Magleby asked about the 'tows' and those cars being out of Bay Point.

Lt. Mahoney stated the cars were gone at least temporarily, until tow fees are paid.

Chairwoman Siegfried asked if unregistered cars could be towed off of a street.

Lt. Mahoney stated if they were on a public street they could be towed.

Councilwoman Garcia asked about the officer that was hurt in the recent car accident.

Lt. Mahoney stated that she was fine; taken a couple of days off and gone back to work.

Councilwoman Garcia asked that he give her their best wishes.

Councilwoman Garcia asked Chairwoman Siegfried if she could present Lt. Mahoney with the Outstanding Citizen award now, before they had to leave, and was allowed to do so.

Councilwoman Garcia stated that at last month's MAC meeting they had planned on presenting this award, as a token of their appreciation, and wanted to take this opportunity to do so now. [Applause]

## **CALIFORNIA HIGHWAY PATROL REPORT –**

None

### **PRESENTATIONS:**

#### **Mike Silva and Dennis Broderick of Code Inspection reviewed the Rental Inspection Program's progress in Bay Point.**

Mr. Silva stated that they estimate there are still 1, 683 single family units in Bay Point; to date they have 59 single family units and 15 multi-family units still in the process of being inspected; 20 single family units in the process of Code Enforcement and 3 multi-family units involved with Code Enforcement. He stated right now they have 26 liens on single family units and 3 on multi-family units.

Mr. Silva explained what it takes sometimes to get people's attention.

Mr. Silva stated that between both single and multi-family, they have 36 units that are 2 year certified and 469 units that are 5 year certified. He stated that in this area they have 790 residences that are said to be owner occupied; that some were thought to be rental units as far as the county was concerned.

Mr. Silva explained some of the ways they use to determine if homeowners are living in the unit, including looking at who is using the homeowner's tax exemption.

Mr. Silva stated that is where they are at in Bay Point; that they originally thought they would be in and out in one year, and that's not going to happen here.

Mr. Silva described some of the problems and processes involved with trying to get all units inspected and up to code.

Chairwoman Siegfried stated she had two questions; 1) on the units claiming to have family members living in them rent free, could they be cited for code enforcement if they need be, and; 2) are they working on closing up all the loopholes in the rental ordinance.

Mr. Silva stated 1) that anything seen as substandard could be turned over to Code Enforcement, otherwise they don't have access to the building if its not a rental unit, and; 2) yes they are working on closing the loopholes; he then went into some specific situations they are trying to work out, including vacant houses with 'For Sale' signs on them that they have to watch.

Mr. Silva stated that it has been a lot more work than they had anticipated; the program was supposed to be self-funding and is not quite there yet; but they are working on it.

Chairwoman Siegfried asked if they should increase their funding; increase fees.

Mr. Silva stated that he didn't believe that would be the best way right now, and spoke about some problems with some homeowners not knowing, because of their bank taking care of their taxes, about the additional fees on their tax bills until after the home is paid off.

Chairwoman Siegfried asked that if she turned in two units that she knows has the tax bills sent to them and the owners are not living in, could they be forced to fix the big pot-holes the renters have made.

Mr. Silva stated if it is a rental unit, yes.

Councilwoman Zumwalt asked if the number of rental units had gone down in Bay Point since starting the rental inspections.

Mr. Silva stated he didn't know if they had gone down any, but what had happened is that county now has probably at least 500 more owner occupied houses, people are getting that \$17 credit now.

Councilwoman Zumwalt reiterated that Mr. Silva said it was going to take at least another year, and she encouraged them to take as long as they need. She stated it was her opinion that owners should have rental units that are safe, clean and appropriate for people to reside in, and if they don't then they need to be made accountable.

Mr. Silva explained some of the common fixes they are finding in the rental units, including kitchen, bathrooms and smoke detectors.

Chairwoman Siegfried stated that the original idea of the Renter's ordinance was to promote health and safety, as well as aesthetically and running property values down; and asked if they were looking at things like landscaping and taking care of overgrown weeds and such too.

Mr. Broderick stated that was part of their jurisdiction too, especially in months such as June and July when it might also be considered a fire hazard. He also stated they ask for removal of appliances stored outside, and sometimes they take the approach to talk with the tenants and explain they need to work with the program also.

Mr. Silva stated that if the weeds are high they need to cut them back, and they look at the fences, that it's the maintenance of the unit as well, that they want the building to stay around for the next 30 to 40 years, so they don't have to be torn down creating empty lots or building newer units where the rent is going to be higher than they are now.

Chairwoman Siegfried stated especially with all of the foreclosures now, with empty units with nobody there, that they start dumping junk on them; it becomes a problem for the whole community.

Chairwoman Siegfried asked how many they end up having to turn over to Code Enforcement, or do they work in conjunction with each other.

Mr. Silva stated they work in conjunction with each other, that sometimes complaints that are turned in to Code are turned over to them, and if they find any that are real bad they turn them over to Code Enforcement. He stated that that in trying to get access to some units, while going through the lien process, if there's stuff wrong on the outside they can turn them over to Code Enforcement as well.

Chairwoman Siegfried stated she knew of one unit where they cleaned up when they got their notice, and then moved all the junk back in the next day.

Mr. Silva stated he was aware that sometimes people were hauling their stuff around the corner, than moving it back soon afterwards; but all that they can do is, not having to start all over from scratch, they give them notice to comply, and give them 10 days instead of 15 to do so; and if you do that a couple of times you can tell them, "You know the rules", and that the next time there will be a fine.

Chairwoman Siegfried asked that when someone has been cited three or four times, can't you change it so that there is automatically a fine like on the third time.

Mr. Silva stated that he wasn't sure and would have to take a look at that, and maybe talk it over with county council.

Chairwoman Siegfried stated that she knows of one that is basically a junk yard, and she knows Dan made him clean it up once; before Dan came Joe made him clean it up; that she knows he's been cited and had to clean the place up at least four times; and now they're right back where they started; that its full of rats and a detriment to the neighborhood.

Mr. Silva stated that they may be able to fine him the \$100, but they would still need to give him notice, and owners can still appeal the \$100 fine to the director.

Chairwoman Siegfried asked if the owners can go and fight these fines, maybe having them lowered, so that it really doesn't do any good at all.

Mr. Silva stated that the only fine that might be lowered is if it looks like there really might have been a misunderstanding; like the person who moved and never had their tax information forwarded.

Resident Michael Kerr asked if they had done a study yet on the effects of the program on the affordability of housing and the loss of housing here; if it was ever going to be done.

Mr. Silva stated no, that a study like that costs money, and is not something the building department would normally do; that it may be something that redevelopment or community development or a particular project with funding would do; not something that building inspection would do.

Mr. Kerr stated that it seems to him that when county implements a new program there should be some review of it and the effects of it; that right now he knows 30 to 80 people who don't have a place to live, that with economics as they are now, it doesn't seem like the appropriate time to be pushing people out of their affordable housing. He stated there's always the possibility that someone is renting a bad place, and the reason they don't complain to the building inspection is because they don't want to loose their affordable housing.

Mr. Silva stated there was two parts to that; 1) If they saw a lot of places being abandoned, torn down, or boarded up, because of landlords kicking out their tenants, then they would be concerned; but he hasn't seen any of that happening, only a handful of places who were also involved with Code Enforcement; and 2) if they had renters call and complain about the landlord kicking them out, and he hasn't received any of those calls.

Mr. Silva stated that more renters have a much better, safer place to live; they know have heat that they didn't have before, and this is what the program is about.

The young man with Mr. Silva stated that he had been working with the program for eight months and basically, as Mr. Silva has stated, that there have been only a handful of units where the owners had to evict somebody; but he had noticed that many of the cases were because the owner hadn't been out or seen the property for years and weren't aware of what was happening; that was the most common cases he has.

Councilman Hoagland stated that he hadn't, and didn't believe any other members of the MAC had heard any of the public's outcry regarding this program; that he knows the program had been taken to task in Crockett, and they haven't had near the issues here as they'd had out there.

Mr. Silva explained the difference being a lot of the houses there were built before 1937, 1800's and 1902; and that was before the community development and building inspection departments; that community development doesn't have a record of what's there, and then people go in and say what is 'safe' and what is 'decent'; and that is where there is kind of a problem; Crockett's whole downtown is that way. He stated we don't have those same kinds of problems here.

Councilwoman Siegfried stated that their house is really old, so that when they bought it they had to redo the wiring, that a lot of the old houses are that way and need to be redone.

Mr. Silva explained some of the specific things they are requiring to be fixed and/or replaced in the older buildings.

Councilwoman Magleby stated that she may probably also have brought this up when the Sheriff's Department was here; that there is a garage on Willow Pass Road down by Dave's Liquor, where they also install stereo systems, and that it is a dump in regards to people loitering around there and cars everywhere. She stated they have a business license to sell the stereo systems, but when they try them out it is so loud; and she is wondering if anything can be done about it. She stated she has a lady that calls her daily, and the Sheriff's 3 times daily to complain about the noise.

Chairwoman Siegfried stated that because of Grandfather clauses that the place had been an auto repair shop, now this one is car stereos; that it should be as it is in many cities where they can't do that, that they have to clean the property up.

Mr. Silva stated that if someone had a shop before 1947 then it is grandfathered in, that if you got a land-use afterwards, between 1950 and 1968 (something like that), the same thing happens; someplace in the 70's or 80's they changed it so that the land-use is only for back business, and once that owner sold or a new business came in they would need a new land-use permit. He stated that would be something redevelopment could explain.

Mr. Silva stated that he knew they were striving to get the proper permits, and inquired if any of the MAC members had been down to talk to the owner. He suggested that maybe a couple MAC members go down, meet her, let her know who they are; that the couple of times he's been there, sometimes ten to twenty cars around the shop are there not associated with the shop; but instead it's the Liquor store, like the old Fosters Freeze, where everyone is gathering.

Chairwoman Siegfried stated that she wasn't aware that there was a problem, that she can't hear them, and nobody had ever told her it was a problem; and stated she would be happy to go talk to them. She stated she thought all of the cars around there were for the repair business.

Mr. Silva stated that the owner had complained to him that even when he's closed up shop they start gathering and blasting their boom-boxes. Mr. Silva stated that he had been to a meeting that day and was informed that it even happens on Sundays, that they are open on Sundays too; so he suggest someone go to the community development department and have some conditions set, and if they can't adhere to the conditions they need to go

Chairwoman Siegfried stated it sounds like they need to go talk to Dave's Liquor too.

Mr. Silva stated that Dave's Liquor leased them that site.

Mr. Broderick reported some average numbers of the last six months for Code Enforcement: opened 15, closed 19 and carried 89 cases. He stated 89 is a lot of cases to carry.

Mr. Broderick stated at the beginning of the year he had sat down with Gail to see how they could get this better under control; that the problem was the number coming in and trying to figure out which ones to put your attention on. He stated he's gotten where he's getting to 8 to 15 places a day, and this past month he was close to 25. He stated he's almost to the point where he can bring in some new ones; that some are done pretty quickly and others, like the ones with the tax liens, take a lot longer.

Mr. Broderick stated that's about how it's going; there's a lot of work still out there.

Chairwoman Siegfried stated she had received a call today about cattle.

There was a discussion about specific units and their status in regards to livestock, cleaning places up, and bonfire restrictions. He stated in particular #410 had their animals removed today and the stalls are gone; #420 are working on taking their stalls down and they have a pit they are trying to fill; #434 is working with redevelopment trying to prove to them that they have had horses all this time; and #589 has a fire pit that may be creating fires taller than is allowed by the fire department for recreational fires.

Councilwoman Magleby asked about the utility boxes in Bay Point that have been painted with graffiti and the possibility of painting over them.

Mr. Broderick stated that the problem with that is the utility boxes belong to somebody, and you would have to get permission from those companies before you did anything to them.

There was a short discussion on the problem of increased graffiti occurring in Bay Point and the best thing any one can do is keep their eyes open and let the Sheriff's Dept. know, or even tell their parents if you know who it is.

Councilwoman Magleby stated that if she gets the locations of the utility boxes and if Mr. Silva could then find out who owns the boxes and let her know; that she has someone to clean them up.

Councilwoman Kopitar stated that the route mailboxes had been painted with graffiti too, and she had called to ask the Post Office and was told you cannot paint them, that it is against the law.

Councilwoman Magleby stated that Mr. Dan Broderick has a big territory to cover, that he's our only hope, and he does such a good job; we appreciate him so much.

Chairwoman Siegfried inquired about Code putting in a grant application for an additional code enforcement officer for the next year.

Mr. Broderick stated yes, but as everyone knows with the economy and money problems occurring, there will be a lot of organizations will be competing for the same monies.

Chairwoman Siegfried stated that she will be sending in the reports that she has stacked up, and he may need to apply for an additional 3 officers.

A Resident stated she wanted to thank Code Enforcement very much for the work they have done and commented there was still work to be done; having just observed today a Keller Trash truck just spew all kinds of trash along Willow Pass Road.

Mr. Silva stated that county could sometimes bring people out to clean up public roads; and he thought they should call the company and tell them what they saw happen, that the company needs to know what is going on too.

Councilwoman Siegfried stated that this is also happening on the freeway, that they had been behind such a truck with stuff flying out left and right. She stated its' happening all the time and they need to get on them again.

There was a discussion about a particular bar, and Mr. Silva stated he would look into that also.

There was a short discussion on Anuta Park having restrooms, and Councilwoman Kopitar suggested the issue should also be taken to the Ambrose Recreation & Park District.

**REQUEST FOR ITEMS ON NEXT AGENDA:**

None

**ADJOURMENT:**

There being no further business before the Bay Point Municipal Advisory Council Code Enforcement Committee, Chairman Siegfried adjourned the meeting at 6:55 p.m. to the next regular quarterly Code Enforcement Committee meeting on June 3, 2008 at 6:00 p.m. to be held at the Ambrose Recreation and Park District Board Room at 3105 Willow Pass Road.

Submitted by,  
Debra Giles  
Recording Secretary