



## Agenda Report

19-481

Agenda Date: 6/25/2019

### REPORT TO COUNCIL

#### SUBJECT

Action on Amendment No. 5 to the Agreement with Metropolitan Planning Group for the Performance of Code Enforcement Services

#### BACKGROUND

The Community Development Code Enforcement program is conducted by four personnel with three assigned to Planning Code Enforcement and a fourth assigned to Building Code Enforcement. The Planning Code Enforcement personnel are responsible for responding to complaints and engaging in proactive enforcement related to the City's Zoning Ordinance. Typical activities include enforcement of blight restrictions, the sign ordinance and permit requirements established within the Zoning Code.

In July of 2014, the City Council approved a two-year agreement with Metropolitan Planning Group (M-Group) to provide contract Code Enforcement personnel staffing as a service to the City on a temporary basis. The initial agreement with M-Group supported three supplemental contract Code Enforcement staff to support the City's Planning Code Enforcement program. Since 2014, the City has gradually increased funding for regular full-time Code Enforcement personnel for the Planning program from one to three positions while reducing the use of contract staffing from three to two and now currently one contract employee so that the City has maintained a minimum of three Planning Code Enforcement personnel. The City's Agreement with M-Group has been amended four times over the course of five years to extend the agreement and add funding as needed to continue the use of contract Code Enforcement staffing at gradually reduced levels.

#### DISCUSSION

The Fiscal Year 2018/19 Adopted Budget included an action to add one full-time equivalent (FTE) for Planning Code Enforcement, which would allow the City to maintain the current level of Code Enforcement staffing while discontinuing the use of contract personnel. Following adoption of the budget, the Planning Division began the recruitment process for a Code Enforcement Officer. The Code Enforcement Officer position is used in multiple City departments and the City had an active list of qualified candidates from a recent recruitment. Following human resource and civil service procedures, the Planning Division first considered candidates from the current Code Enforcement list. This initial review did not yield a sufficient pool of candidates with planning code enforcement experience. Staff has determined that additional time is needed for the City to conduct an additional recruitment and hiring process for this critical city position with subject matter expertise in community development.

The proposed amendment would extend the time duration of the current contract employee to allow the City to continue to provide three Planning Code Enforcement personnel until a permanent FTE is hired. All consultants working in the capacity of a Code Enforcement Technician or Officer will be required to complete a Conflict of Interest - Form 700. Amendment No. 5 will increase the contract

amount by \$87,500 for a total not-to-exceed amount of \$1,373,100 and extend the termination date from June 30, 2019 to December 31, 2019.

### **ENVIRONMENTAL REVIEW**

This action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 1537(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

### **FISCAL IMPACT**

This extension request includes a contract funding increase of \$87,500 for the additional six months of services. Sufficient funding for the remainder of the fiscal year is available in the Code Enforcement Program budget. As the FY2019/20 budget includes salary for a position that remains vacant, the contract staffing would only be used until an employee is hired for that position and funding for this agreement will be available in the Code Enforcement Program budget through salary savings.

### **COORDINATION**

This report has been coordinated with the Finance Department and City Attorney’s office.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

### **RECOMMENDATION**

Approve and authorize the City Manager to execute Amendment No. 5 to the Agreement for the Performance of Services with Metropolitan Planning Group for Code Enforcement Services with an increase of \$87,500 for a total contract cost not to exceed \$1,373,100.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Amendment No. 5 to Services Agreement with Metropolitan Planning Group