REPORT TO COUNCIL
City of Sacramento

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915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Consent
September 26, 2006

Honorable Mayor and
Members of the City Council

Title: Citation and Arrest Authority to Certain Employees of the Code Enforcement Department

Location/Council District: City-wide

Recommendation: Adopt a **Resolution** updating the names of the staff members who are eligible to be granted Citation and Arrest Authority in the Code Enforcement Department and rescinding Resolution No. 2006-288:

Contact: Ron O'Connor, Code Enforcement Manager, (916) 808-8183

Presenters: Not applicable

Department: Code Enforcement

Divisions: Neighborhood Code Enforcement, Business Compliance, and Housing and Dangerous Buildings

Organization Numbers: 4651, 4652 and 4653

Description/Analysis

Issue: The attached Resolution provides the names of the specific individuals in the Code Enforcement Department who have received the required training and are recommended for Citation and Arrest Authority.

Policy Considerations: The staff recommendation is consistent with City Council priorities and policies related to compliance with the City's Codes, cost recovery and the City's goals to improve and expand public safety.

Environmental Considerations: The accompanying resolution does not constitute a project under CEQA guidelines.

Rationale for Recommendation: In accordance with Sacramento City Code, Title 2, Chapter 2.12.030 and California Penal Code Section 836.5, the City Council is required to issue a Resolution assigning specific persons the authority to enforce codes through means of citation and arrest. The Code Enforcement Department regularly updates the list of those individuals who are assigned

citation and arrest authority to enable staff to fulfill their enforcement duties and responsibilities .

Financial Considerations: The granting of Citation and Arrest Authority has no financial impact.

Emerging Small Business Development (ESBD): Not applicable. No goods or services are being purchased.

Respectfully Submitted by: _____
for Max B. Fernandez
Code Enforcement Director

Recommendation Approved:

_____
Ray Kerridge
City Manager

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Background **Attachment 1**

On June 30, 1997, the City Council adopted Resolution 97-285 which granted Citation and Arrest Authority to enforcement staff of the Code Enforcement Department. The purpose of this authority is to allow enforcement of specified titles of the Sacramento City Code, California Vehicle Code, and the California Penal Code. Periodically there are changes in staffing, and it is necessary to update the list of individuals who shall be granted this authority. The individuals who enforce these codes have met additional training requirements with the City of Sacramento Police Department and are qualified to be granted Citation and Arrest Authority.

RESOLUTION NO.

Adopted by the Sacramento City Council

GRANTING CITATION AND ARREST AUTHORITY TO CERTAIN EMPLOYEES OF THE CODE ENFORCEMENT DEPARTMENT FOR THE PURPOSE OF ENFORCING CERTAIN PROVISIONS OF THE CITY CODE AND/OR STATE LAW

BACKGROUND

A. On June 3, 1997, the City Council adopted Resolution 97-285 which granted Citation and Arrest Authority to enforcement staff of the Code Enforcement Department. The purpose of this authority is to allow enforcement of specified Titles of the Sacramento City Code, California Vehicle Code, and the California Penal Code. Periodically there are changes in the staffing, and it is necessary to update the list of individuals who shall be granted this authority.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1 In order to enforce certain provisions of the City Code, California Vehicle Code, California Penal Code, and California Labor Code, those persons hereinafter named are hereby granted Citation and Arrest Authority for the purpose of enforcing those particular provisions of the City and State codes hereinafter specified, and for those purposes only.

NAMES	JOB CLASSIFICATIONS
Max Fernandez	Code Enforcement Director
Dennis Kubo	Program Manager
Ron O'Connor	Code Enforcement Manager
Robert L. Rose	Code Enforcement Manager
Randy Stratton	Chief of Housing and Dangerous Buildings
Rodney C. Arnold	Senior Code Enforcement Officer
Tamera J. Browning	Senior Code Enforcement Officer
Noel Eusebio	Senior Code Enforcement Officer
Lindley Freeman	Senior Code Enforcement Officer
Belinda Losoya	Senior Code Enforcement Officer
Caroline McNorton	Senior Code Enforcement Officer
Jean Frederick	Zoning Investigator
Brian S. Ramsey	Zoning Investigator
Tara Barretto	Code Enforcement Officer
Donna M. Barton	Code Enforcement Officer
Shawn Bartosh	Code Enforcement Officer
Sarah Bicking	Code Enforcement Officer

Dia Bradford	Code Enforcement Officer
Janie Campos	Code Enforcement Officer
Randall Cry	Code Enforcement Officer
Larry Eccleston	Code Enforcement Officer
Linda Douglas	Code Enforcement Officer
Jesse Galindo	Code Enforcement Officer
Stephen R. Grove	Code Enforcement Officer
James Harrison	Code Enforcement Officer
Beverly Howell	Code Enforcement Officer
William H. Hutcheon	Code Enforcement Officer
Livio Innocenti	Code Enforcement Officer
Keona Johnson	Code Enforcement Officer
Jason Khan	Code Enforcement Officer
Pamela La Rue	Code Enforcement Officer
Bruce Lewis	Code Enforcement Officer
Pamela Maestas	Code Enforcement Officer
Julia Mason	Code Enforcement Officer
Joe Perez	Code Enforcement Officer
Jose Rodriguez	Code Enforcement Officer
Benjamin Rolison	Code Enforcement Officer
Celestino Salinas	Code Enforcement Officer
Gregory J. Sowards	Code Enforcement Officer
Brian Strong	Code Enforcement Officer
Ricardo Vargas	Code Enforcement Officer
Roger Zuniga	Code Enforcement Officer
Calvin E. Coley	Building Inspector II
Larry Cyrus	Neighborhood Resources Coordinator

TO ENFORCE CITY CODES

Title 5. **Permits**

Chapter 5.04 - Adult Related Establishments

Sections 5.04.020 and 5.04.050 A-C

Food Vending Vehicles

Chapter 5.68

All Sections

Shopping Carts

Chapter 5.82

Auctions and Other Sales

Chapter 5.88 - Street and Sidewalk Vending

Sections 5.88.010 through 5.88.030

Chapter 5.88 - Old Sacramento Third of July Celebration

Sections 5.88.040 and 5.88.050

Chapter 5.88 - Vendor=s Permit Requirements
Section 5.88.080
Chapter 5.88 - Outdoor Sales and Display of Merchandise
Sections 5.88.190 through 5.88.210
Chapter 5.108 - Entertainment Establishments
Chapter 5.112 - Self-Service Tobacco Merchandising
Tobacco Retailers
Chapter 5.136 – Taxicabs
All Sections
Chapter 5.138 -Tobacco Retailers
All Sections
Chapter 5.140 - Tobacco Vending Machines
Chapter 5.144 – Tow Vehicles
All Sections

Title 8. **Housing Code**
Chapter 8.100
Sections 8.100.550 and 8.100.560 (L) (O) and
Section 8.100.650
Nuisance Code
Chapters 8.04, 8.16, 8.20, 8.24, 8.28, 8.76, 8.56 - All Sections

Noise
Chapter 8.68 - Noise Standards
Sections 8.68.060 through 8.68.110, 8.68.130, 8.68.150 through 8.68.210

Smoking Ordinance
Chapter 8.80
Sections 8.80.020 through 8.80.270 A through F

Vector

Chapter 8.96.110 N

Chapter 8.96.120 through 8.96.400

Chapter 8.100.650

Chapter 8.100.700 through 8.100.910

Title 9. **Public Peace, Morals and Welfare**

Chapter 9.16.090 – Swimming pools – Fence or cover required.

Title 10. **Motor Vehicles and Traffic**
Chapter 10.36 - Stopping, Standing and Parking on Street
Section 10.36.080 (A) 1 through 5, (B) & (C) and
Section 10.36.120 (A)(B)(C)
Chapter 10.44 - Off Street Parking and Loading Facilities
Sections 10.44.010 (A)(B)(C) and 10.44.020 (A)(B)(C - 1 through 6) (D)(E)

Chapter 10.52 - Vehicle Repair in Residential Zones
Sections 10.52.010 through 10.52.050

Title 12. **Streets and Sidewalks**
Chapter 12.08.110 - Use of Streets for Storage of Building Material

Chapter 12.24 - Sidewalk Obstructions; Pedestrian and Vehicle Interference
Sections 12.24.020, 12.24.030, 12.24.100

Chapter 12.28 - Obstructions to Visibility at Intersections
Sections 12.28.010, 12.28.020, 12.28.030 and 12.28.040

Chapter 12.76 – Sacramento Boat Harbor

Title 13. **Garbage, Rubbish, Weeds, and Waste Matter**
Chapter 13.10
All Sections

Title 15. **Trailer Camps and Public Camps**
Chapter 15.140 - General
Sections 15.140.010 and 15.140.050
Chapter 15.144 - Trailer and Trailer Camps
Sections 15.144.010 through 15.144.050
Chapter 15.148 - Signs
All Sections

Building Code
Chapter 15.64 - Swimming Pools
Section 15.64.070

Title 17. **Comprehensive Zoning Ordinance**
All Chapters
All Sections

CALIFORNIA LABOR CODE
Section 6404.5

CALIFORNIA VEHICLE CODE
Section 4000 - Registration Required.
Section 5204 - Registration tabs shall indicate year and month of expiration.
Section 22500 - Prohibited Stopping, Standing or Parking
(f) On a sidewalk except electric carts when authorized by local ordinance.
Section 22523 - Abandonment Prohibited
Section 22651 - Circumstances Permitting Removal
(b) When any vehicle is parked or left standing upon a

highway in a position so as to obstruct the normal flow of traffic upon a highway.

(e) Illegally parked blocking fire hydrant.

(j) When any vehicle is found illegally parked and there are no license plates or other evidence of registration displayed, vehicle may be impounded.

(k) When any vehicle is parked or left standing upon a highway for 72 or more consecutive hours in violation of a local ordinance authorizing removal.

(l) Parked in highway construction, repair, or cleaning area; when notice of removal posted for 24 hours or more.

(n) Parked or left standing where parking is prohibited, must be posted.

(o) When any unoccupied vehicle is found upon a highway, public lands, or off-street parking facility, with a registration expiration in excess of six months before the date it is found on the highway.

(r) When any vehicle is illegally parked and blocks the movement of a legally parked vehicle.

Section 22669 - Removal of Abandoned Vehicles

(a) When there are reasonable grounds to believe that a vehicle has been abandoned, as determined pursuant to Section 22523, may remove the vehicle from a highway or from public or private property.

(d) Motor vehicles which are parked, resting, or otherwise immobilized on any highway or public right-of-way and which lack an engine, transmission, wheels, tires, doors, windshield, or any other part or equipment necessary to operate safely on the highways of this state, are hereby declared a hazard to public health, safety, and welfare and may be removed immediately upon discovery by a peace officer or other designated employee of the state, county, or city.

CALIFORNIA PENAL CODE

Section 166 - Contempt Constituting a Misdemeanor

Section 373(a) - Maintaining or Permitting a Public Nuisance After Abatement Notice.

Section 374.4 - Littering on Public or Private Property.

CALIFORNIA STREETS AND HIGHWAYS CODE

Section 5610 - The owners of lots or portions of lots fronting on any portion of a public street or place when that street or place is improved or if and when the area between the property line of the

adjacent property and the street line is maintained as a park or parking strip, shall maintain any sidewalk in such condition that the sidewalk will not endanger persons or property and maintain it in a condition which will not interfere with the public convenience in the use of those works or areas save and except as to those conditions created or maintained in, upon, along, or in connection with such sidewalk by any person other than the owner, under and by virtue of any permit or right granted to him by law or by the city authorities in charge thereof, and such persons shall be under a like duty in relation thereto.

SECTION 2 In order to enforce certain provisions of the City Code, those persons hereinafter named are hereby granted Citation and Arrest Authority for the purpose of enforcing those particular provisions of the City and State codes hereinafter specified, and for those limited purposes only.

NAMES	JOB CLASSIFICATIONS
Max Fernandez	Code Enforcement Director
Randy Stratton	Chief of Housing and Dangerous Buildings
Ron O'Connor	Code Enforcement Manager
Dennis Kubo	Program Manager
Elia Kentera	Senior Supervising Building Inspector
Greg Johnson	Supervising Building Inspector
Patrick Melanson	Supervising Building Inspector
Don Marcheschi	Building Inspector IV
Jack Mc Donald	Building Inspector IV
Josh Pino	Building Inspector IV
Andy Chavez	Building Inspector III
Arthur Cosley	Building Inspector III
Leonard Duclos	Building Inspector III
Chad Garber	Building Inspector III
John Vanella	Building Inspector III
Gene Caluya	Building Inspector III
Kyle Caluya	Building Inspector III
Kim Hagen	Building Inspector III
Bruce Holmes	Building Inspector III
Richard Leiker	Building Inspector III
Kenneth Salisbury	Building Inspector III
Maurice Schranz	Building Inspector III
Charles Sherman	Building Inspector III
Jeremiah Zellig	Building Inspector III

TO ENFORCE CITY CODES:

Title 8. **Health and Safety**
All Chapters
All Sections

Title 9. **Public Peace, Morals and Welfare**
Chapter 9.16.090 - Swimming pools - Fence or cover required.

Title 12. **Streets, Sidewalks and Public Places**
Chapter 12.08.110 - Use of streets for storage of building material
Chapter 12.24.020 - Signs, posts, structures, etc.

Title 13. **Public Services**
Article II - Water Meters
Article III - Construction of Water Mains - Subdivision Within City Limits
Chapter 13.04.950 - Substandard water fixtures prohibited
Chapter 13.08.280 - Penalties

Title 15. **Buildings and Construction**
All Chapters
All Sections

Title 17. **Zoning**
All Chapters
All Sections

SECTION 3 This resolution is adopted pursuant to Chapter 2.12.030 of Title 2 of the Sacramento City Code and Section 836.5 of the California Penal Code. Nothing herein shall be read to limit the power or authority of any duly appointed law enforcement officer of the City to enforce those chapters of the City Code heretofore set forth.

SECTION 4 Resolution No. 2006-288 is hereby rescinded.