

**LODI IMPROVEMENT COMMITTEE
REGULAR MEETING MINUTES**

August 11, 2009

6:00 P.M.

ROLL CALL

BOARD		STAFF
<u>PRESENT</u>	<u>ABSENT</u>	
Robert Takeuchi (Chair)		Joseph Wood, CDD
Stephen Jarrett (Vice-Chair)		Araseli del Castillo, CDD
Rosie Ortiz (Treasurer)		Jamie Aldred, C.I.
Tim Mustin		
Sunil Yadav		
Fran Forkas		
Eileen St. Yves		
Reyes Jaramillo		

MINUTES

July 21, 2009 – Regular Meeting

Mr. Takeuchi motioned to approve, Mr. Forkas seconded.

TREASURER’S REPORT

Ending balance is \$730.13

Mr. Forkas motioned to approve, Mrs. St. Yves second it.

ANNOUNCEMENTS/PRESENTATIONS

Mr. Wood announced that if you would like to speak to make sure you come to the podium so your voice could be picked up on the recording.

Mr. Takeuchi announced that on Tuesday the 25th of August at the Carnegie Forum @ 6:30 p.m. the City will be having a reception for volunteers. He encourages everyone to attend where you will be able to meet other volunteers from other committees of the City. We will be honoring retiring committee members.

AGENDA ITEMS

A. Proposed Rental Property Inspection Program (LPD – Community Improvement)

Supervising Community Improvement Officer Jamie Aldred has arranged for the following three speakers to be present to comment on issues related to a proposed Rental Property Inspection Program in Lodi.

Mrs. Aldred gave a presentation that Mr. Stratton, City of Sacramento Code Enforcement Manager – Rental Inspection Program forwarded to her in the event he was unable to make it here on time.

Mrs. Aldred stated the City of Sacramento implemented their rental inspection program in 2004. The City of Sacramento has some outreach stake holders that solicited assistance in implementing their program. One was the human rights and Fair Housing Commission, The Legal Service of Northern California, The Sacramento Housing Alliance, The Mutual Housing Association, The Rental Housing Association, The Sacramento Association of Realtors, the City Attorneys Office and their Code Enforcement Dept. On January 2006 the Law & Legislative Committee recommended a pilot program that was presented to Council.

Mrs. Aldred stated the key features were that there were no fees charged to the property owners for the initial inspection. Revenue generated would off set the cost of the program. The pilot staff would be allowed to evaluate the effectiveness of the program, to track the progress of pro-active inspections and estimate the cost of a City wide program.

Mrs. Aldred mentioned that in March 2008 the Sacramento City Council approved a City wide program. Some of the concerns were that code enforcement systems that operate solely and response to tenant complaints have limited the impact the quality of the rental housing stock city wide and that approach did not adequately address rental housing conditions since tenants may not know how to register complaints or may be reluctant to complain out of fear retaliation by the landlord. The benefit was that in contrast to a complaint based approach a pro-active inspection program would improve the quality of rental of rental housing stock throughout the City of Sacramento. Improve property value and improve quality of life in the neighborhood.

Mrs. Aldred stated that they address their funding by implementing a fee of \$140 per unit paid in five yearly payments of \$28. The cost will past directly to the tenant would be \$2.33 per month and need not have an adverse affect on affordable housing. The cost of enforcement was offset by the enforcement fees and penalties from non compliant property owners.

Mrs. Aldred mentioned that Randy Stratton was unable to make here on time. He did provide a systematic pro-active inspection vs. a pro-active maintenance equal livable neighborhood handout that I brought for you.

Mr. Takeuchi asked if this program is being proposed for Lodi, is that why you are bringing this up before us.

Mrs. Aldred responded that this is an option that at some point in time would like you to assist them in addressing some of their big challenges.

Mrs. Aldred presented Peggy Wagner, Executive Director of San Joaquin Fair Housing to speak regarding San Joaquin Fair Housing.

Mrs. Wagner stated she would not be before you if everyone was responsible. My job is to educate and mediate to resolve problems before they end up in the court system. A lot of problems we hear are habitability issues. Mrs. Wagner states that she thinks everyone has the right to live in adequate housing. Mrs. Wagner states she thinks there is an issue and our housing stock is old, has been stated but that is not excuse. If we can make everybody responsibility we will have a cleaner,

better environment and we will not need to have these meetings because we will make people responsible.

Mr. Jarrett asked Mrs. Wagner to explain to him exactly what her function is and who funds you.

Mrs. Wagner replied we are funded by the Community Development Block Grant. We are mandated by the federal government to have sort of involvement. We are contracted by the City of Stockton, the City of Lodi, the County, Manteca, Tracy, Escalon, Lathrop and Ripon to provide our services. We do tenant and land owner right & responsibilities, education and mediation.

Mr. Jarrett asked if they do code enforcement.

Mrs. Wagner replied no.

Mr. Takeuchi stated that if we are going to adopt a new program there better be a damn good reason to do it. I'm not sure this accomplishes what you think it might unless you tell me more.

Mrs. Aldred replied she does not have the answers for you tonight. I think if we look into other cities like Stockton, Sacramento and other areas that have used this to get statistics of what is really happening and if it is generating any funds for the cities that are doing this. I think the program in Stockton started a year ago and I believe there is a lot of information we can gather for you.

Mr. Forkas asked if Stockton had a funding mechanism similar to Sacramento.

Mrs. Aldred replied they do have a per unit fee that is charged annually to the landlord and their punitive measures that they implemented are nothing to laugh at.

Mr. Forkas asked when Stockton initiated their funding mechanism did they actually add staff to go out and do the inspection or did they just use it as a wind fall money thing.

Mrs. Aldred replied I don't think any city is viewing it as a wind fall money thing as a money source.

Mr. Takeuchi asked if they are doing this already.

Mrs. Aldred replied yes but solely on a complaint driven basis.

Mr. Takeuchi stated then the program that is being proposed for us to consider and discuss is one that will not be complaint driven.

Mrs. Aldred replied it would be pro-active.

Mrs. St. Yves asked how often the tenants get cited for problems they cause on the inside of the unit.

Mrs. Aldred replied if the tenant is causing the problem, the tenant will get cited if they don't remediate the problem. It is not fair if the property owner is held responsible for something the tenant is creating.

Mr. Jarrett asked about the list of landlord responsibilities. He asked if the inspection guidelines would be along these lines for Lodi.

Mrs. Aldred replied absolutely.

Mr. Jarrett mentioned if he was a landlord he would have a problem with the definition of what sufficient hot and cold water is.

Mrs. Aldred replied California State Law requires a minimum of 110 degree hot water be supplied to a single family residence.

Mrs. Aldred would like Alice Hannan, Board Secretary (past Executive Director) of the San Joaquin Rental Property Association to say a few words.

Mrs. Hannan stated she has been personally involved in the business since 1966. Through the years I became aware I myself needed much more education. I founded the San Joaquin Rental Property Association. I volunteered for them so I can be in the position of learning and found myself working for them as I have for the past 25 years. Mrs. Hannan stated the book she had in her hands is provided to every new member. What are in this book are the rules and regulations of rental housing. This book is not for sale. It is published by the California Apartment Association. It goes into detail of what Mrs. Wagner has put on back of the Fair Housing brochure in great detail.

Mrs. Hannan mentioned that this Saturday they are doing a trade show at Hutchins Street Square. Mrs. Hannon stated in order to be a member an owner needs to own at least one rental property. The Board of Directors has not considered a specific ordinance for Lodi so they have not taken anything into account.

Mrs. Hannan stated she wants to explain what a resident can do now without adopting an ordinance. When there is a condition and the landlord is not maintaining the property in habitable standard, the tenant does have some options. One of those options is not to pay his rent. This is pretty powerful but not something most of us would recommend. A tenant does have the right to make the repair and deduct it from his rent as long as he does not do this more than twice in a twelve month period. Mrs. Hannan also mentioned that the City should also be concerned with the number of evictions might increase because if there are habitable issues, those issues cannot be repaired while the unit is occupied. The tenant would be required to vacate so the unit can be repaired.

Mr. Jarrett asked what has your industry done to self regulate itself so we do not need to have such ordinances.

Mrs. Hannan replied they are rarely involved with tenants. Those are usually sent to Fair Housing.

Mrs. Aldred mentioned that after talking to various agencies and looking into ordinances I would take it to see how it is applicable in Lodi and so I have a short power point presentation to show you.

Mrs. Aldred stated that the Eastside of town is somewhat high density because there are twice as many houses than the Westside. Renter occupied households are twice as likely to live in substandard housing. Mrs. Aldred stated that one of the reasons we should consider a rental inspection program is because it promotes safe rental housing that meets the health standards, it maintains and increases property values, it preserves neighborhoods and quality of life. It reduces the deteriorating of rental housing, it provides the opportunity of home owner to be pro-active by regularly inspecting their rentals and it establishes an education forum between property owners and City of Lodi staff.

Mr. Takeuchi asked what the proposed inspection program going to cost the City.

Mrs. Aldred replied that this is already being done through our complaint basis. The software we are purchasing is going to decrease our work load by 50%. You can't assess a total cost on something that is a case by case basis.

Mr. Takeuchi stated he suggest that Mrs. Aldred do some research on the cost because this will be an issue not only for the City Council but for the public.

Mrs. Hannan's mentioned about offering a 3-hour course that any landlord that was cited by the City could take the class and get out of getting the City for the fee for the education. You might think of something like that.

Pat Manley (public member) stated that a lot of what is on the list is common sense. I don't need the government involved. I already pay enough fees with the Fire Dept. doing their annual inspections for an inspection I did not request but it has to be done and I don't think I should pay more. Go after the bad people and leave the rest of us alone.

Doug Raider (public member) stated that this is not the time to add anymore to the tenants and I don't think we should increase their financial burden.

Mr. Takeuchi mentioned that the committee is not making a decision on this matter. This is brought to us for our opinion.

Committee Membership

DEPARTMENT REPORTS

A. Community Development

*** Planning Commission**

None

*** Planning Commission – Past Action**

None

*** Neighborhood Services Division**

Mr. Wood spoke about the amendment to the by-laws that were scheduled to go before the council on August 19th. It has been pulled by the City Manager. We need to share our Minutes with them on regular basis so they have a chance to be aware what's happening at the commission and committee level. We will reschedule.

Mr. Wood stated nothing has been done or any further issues with the Eastside Summit.

A. Police Department

*** District/Watch Commander
Community Improvement/Code Enforcement**

None

B. Public Works

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS (5 minute limit per speaker)

None

COMMENTS FROM BOARD MEMBERS on Non-Agenda Items (5 minute limit per speaker)

None

NEW BUSINESS

A. Topics for Upcoming meetings

None

ADJOURNMENT

There being no further business before the Committee, it was, on motion duly made by Mr. Takeuchi adjourned at 7:44 p.m.

Respectfully submitted,
ARASELI DEL CASTILLO, Recording Secretary