

Case 22-23 GJ03: Building Projects – Can You Help Me...Please?

The Grand Jury has requested responses from the Board of Supervisors to Findings 1-9, and to Recommendations 1-9.

Consistent with previous practice and pursuant to Board Policy A-11, the Chief Administrative Office is responsible for coordinating the County's response to the Grand Jury. Responses to the Grand Jury Report are directed by Board Policy A-11 and Penal Code 933.05. Accordingly, the Chief Administrative Office has reviewed and compiled the responses from all non-elected department heads into this Initial Draft Response for the Board's consideration.

FINDINGS

- F1. A mission statement does not exist for the P&B Department. Building Services and Planning Services each have separate web pages but list the same mission statement; however, they each have different and distinct functions.

The Board of Supervisors disagrees wholly with this finding.

The Planning and Building Department does have a mission statement. This mission statement is listed on both the Planning Services webpage and the Building Services webpage as there is no "Planning and Building Department" webpage on the County's website. Though the divisions perform different functions, they are highly integrated. Even with different functions, both divisions have the same purpose and goals including providing accurate, timely, and courteous professional and technical services to our customers.

- F2. Only commercial contractors can apply and pay for a simple permit online. Homeowners are unable to apply and pay for a simple permit online.

The Board of Supervisors agrees with this finding.

- F3. Commercial contractors have one point of contact throughout the process and homeowners do not. The P&B Department does not assign personnel the responsibility to manage complex permits through the permit process.

The Board of Supervisors disagrees partially with this finding.

Commercial contractors and homeowners that apply as an owner/builder follow the same process. Homeowners who want to follow the progress of their project or ask questions

can create an account in the Planning and Building's land management software system (TRAKiT) and have access to the same information their contractor does, including the names of plan checkers or inspectors assigned to the permit. Complex projects are not automatically assigned an Ombudsman or other personnel to manage a project, however, a contractor or property owner may request the help of the department Ombudsman at any time.

- F4. A permit status dashboard providing transparency has not been developed for projects.

The Board of Supervisors disagrees partially with this finding.

The County's TRAKiT system does not currently provide a dashboard that summarizes permit data. However, information within TRAKiT is available for anyone to view and provides all relevant information about a permit. Contractors, homeowners, or community members may create an account in TRAKiT and view permit information. Staff are exploring if TRAKiT can provide summaries, send automatic notices, and other features that would make TRAKiT simpler to use in an easily accessible manner.

- F5. There is an Ombudsman position, assigned to Economic Development, available to assist customers through the many layers of the permit process. The Ombudsman is also assigned additional duties within Economic Development including special projects. A job description, reflecting the actual responsibilities of the Ombudsman, has not been developed – instead, an Administrative Analyst II job description is being used.

The Board of Supervisors agrees with this finding.

- F6. As part of the inspection process, Building Services sometimes assigns a different inspector to conduct follow-up inspections to determine if the required corrective actions were completed.

The Board of Supervisors agrees with this finding.

- F7. Building Services conducts inspections for new fire sprinkler systems for homes as part of framing inspections. Three (3) fire districts no longer use Building Services but instead, conduct their own inspections at a higher cost to the homeowner.

The Board of Supervisors disagrees partially with this finding.

The County has not conducted a cost comparison with fire districts, so it is unknown if they are higher. Fire district fees are set by their governing boards and are based on their costs to provide the service.

- F8. The permit status presentation only provided a summary of permit activity. It did not provide slides with data detailing the quantity or timelines for processing permits by permit type.

The Board of Supervisors agrees with this finding.

- F9. A customer satisfaction program does not exist. Customer Service Questionnaires that are received by the P&B Department are collected by the Ombudsman who then distributes them to the Director and the department manager. A summary of complaints is not captured, and follow-up has not been established. Paper Customer Service Questionnaires are dropped in a box in the Building Services Lobby.

The Board of Supervisors disagrees partially with this finding.

Customer satisfaction surveys are available to all customers and will be implemented into the Department's electronic scheduling system that is currently being launched. Complaints and compliments are provided to the appropriate manager. For complaints regarding an individual, managers determine appropriate corrective action. This will vary depending on the specific circumstances and is a personnel matter. For general or "system-wide" complaints, the management team discusses and determines appropriate actions to address the issue.

RECOMMENDATIONS

- R1. The P&B Department should develop a mission statement and refine the mission statements for both Building Services and Planning Services to more accurately reflect their respective missions. This recommendation should be completed by December 31, 2023.

The recommendation has been implemented.

The mission statement noted on the Building Services and Planning Services web pages is the Planning and Building Department's Mission Statement. The Planning and Building Department believes it accurately reflects its mission.

“Guide land use and development consistent with the General Plan, Building Codes, and related regulations, by providing accurate, timely, and courteous professional and technical services to our customers, to maintain the County's unique quality of life, protect public safety and the environment and to promote economic vitality for current and future generations.”

Although the Building and Planning Divisions do have many distinct functions, many are closely integrated. Generally, each County Department develops a Mission Statement, not individual divisions within the Department. This helps to unify the divisions and reduce “silo” mentalities.

- R2. Building Services should expand the current simple permit program to allow homeowners to request and pay for simple permits online. This recommendation should be implemented by December 31, 2023.

The recommendation requires further analysis that may be completed in 2024.

Any licensed contractor can apply and pay online for simple permits (referred to as “trade permits” and include permits such as water heaters, residential solar and EV chargers). Due to California Health and Safety Code sections 19825-19829, non-contractors are currently unable to procure permits online. This is because of the required verification requirements of these code sections.

Contractors provide verification with a contractor’s license number. Homeowners who are acting as owner/builder on a project typically provide verification and proof of identification with a copy of their driver’s license and must do so in person. Currently, there is no way for homeowners to submit the required verification securely online. Please note that a notice is sent to the owner informing them that a contractor has applied for a permit on their property.

Staff has identified expanding electronic plan submittals as a high priority and is currently working with IT and the TRAKiT program vendor, CentralSquare, to develop solutions and identify costs for the expanded service. This would include exploring if TRAKiT can provide the required security necessary to intake owner/builders proof of identification.

Although it is a high priority, staff does not yet have a timeline for implementation or costs. It would likely not be by December 31, 2023, but rather sometime in 2024.

- R3. The P&B Department should assign a single point of contact to act as the advocate for each complex permit request and pay for simple permits online. This recommendation should be implemented by December 31, 2023.

The recommendation will not be implemented because it is not reasonable.

Contractors and owners/builders follow the same process. There is not one point of contact from the beginning to the end of the building permit process due to the various stages of the process requiring differing professional skill sets (i.e., permit intake, plan check, inspection). Permit Technicians are available to assist with answering questions on any permit. The Planning and Building Department Ombudsman is available for any projects that need assistance. It is recognized that the planning and building permit process can be complex. In addition, larger projects often require review by outside agencies. Although the Planning and Building Department coordinates and communicates regularly with outside agencies, we do not have oversight of their processes or timelines.

Planning and Building staff plan to update and create new flow charts as well as short “how to” videos for some processes starting with those that are most used. As noted, the Ombudsman is currently available as needed for complex projects where applicants are having difficulty navigating through the process. Some flow charts will be updated prior to December 31, 2023, with new flow charts and “how to” videos scheduled for Summer 2024.

- R4. Building Services should create tools, such as a dashboard to provide transparency of permits in its system and document the approvals and inspections (by date) requested and the current status. Criteria should be established for triggering alerts when approvals or inspections stall. Update the system to require an inspection completion date. This recommendation should be implemented by December 31, 2023.

The recommendation requires further analysis from the TRAKiT vendor which will be complete in 2024.

The County’s TRAKiT system does not currently provide a dashboard that summarizes permit data. However, information within TRAKiT is available for anyone to view. Contractors, homeowners, or community members may create an account in TRAKiT and view permit information. This includes key dates such as plan approvals and inspections. On the list for potential modifications or upgrades to TRAKiT is exploring TRAKiT’s ability to automatically send emails based on certain criteria, such as prolonged periods of inaction. Currently, it is not known if TRAKiT has that capability or, if it does, the cost of adding such a feature.

Staff is also exploring alternatives and has already put in place a manual method for notifying applicants of expiring applications and permits. These written notifications are sent 30 days prior to Building Permit expiration and after issuance of a permit. These notifications remind applicants to either obtain a final inspection or renew or withdraw the permit. The letter includes information so applicants can easily renew or withdraw their application via email if they so choose.

- R5. The P&B Department should work with Human Resources to create a job description for the Ombudsman position commensurate with the actual duties. This would include empowering the Ombudsman to be responsible for addressing and spearheading the resolution of issues and complaints. This recommendation should be implemented by December 31, 2023.

The recommendation will not be implemented because it is not warranted.

“Ombudsman” has been the working title for this function, which is staffed by an Administrative Analyst II. The role and duties of the Ombudsman, as currently defined, are appropriate for that classification. As a result, there is no need to work with Human Resources on a new job description; however, the term “Ombudsman,” as defined and understood by the public, may not be an accurate working title for the position. The Planning and Building Department will revisit the working title for this position and ensure that the description of the function on the website is accurate, and that all staff within the department understand the role of the position.

Using the Administrative Analyst classification for this role also provides flexibility when filling this position or covering with another Administrative Analyst if the incumbent is out. Creating a new, stand-alone job spec for an Ombudsman would limit flexibility to staff the position and would be overly specific to justify. The position would likely be more difficult to fill as there would be no clear path for job advancement.

- R6. When possible, Building Services should strive to send the same inspector to conduct the follow-up inspection. If a different inspector is assigned to follow-up on corrections, the initial inspector should review the file with them. This recommendation should be implemented by December 31, 2023.

The recommendation will not be implemented because it is not reasonable.

The Building Services Division strives to maintain consistent inspectors for a project when possible, however, due to staff vacations, illness, and the location of inspections requested on a given day, that’s not always possible. Inspections are scheduled on a first-come, first-

serve basis. Any one day may have a higher number of inspections in a particular area or more complex and timely inspections. Staff is generally assigned to the same area to conduct inspections but may be shifted to accommodate the needs on a particular day. In addition, depending on the type of inspections requested, a different inspector may be assigned who has specific certifications or expertise in that inspection type. Inspectors have access to TRAKiT in the field and can view any notes or comments from previous inspectors or other staff as needed.

- R7. Building Services should review the home fire sprinkler inspection process for efficiency purposes and revisit returning the responsibility for all home fire sprinkler inspections to Building Services. Recommendation to be implemented by December 31, 2023.

The recommendation will not be implemented because it is not warranted.

The California Health and Safety Code, Division 12, Part 2, Chapter 1, Article 12, Section 13146, assigns responsibility for enforcement of safety regulations to the local level and grants authority to delegate enforcement to the chief building official, or his or her authorized representative, or the chief of the fire protection district, or his or her representative. Current County policy allows the individual fire districts to decide if they would like to enforce the Fire code including fire sprinkler inspections or have the County do so. For those that take on the responsibility, the Fire District and County enter into a Memorandum of Understanding (MOU) that describes the roles and responsibilities pertaining to the inspection of certain building standards found in the Fire Code. Each fire district and its governing board are responsible for setting and maintaining their own fees.

- R8. The P&B Department should establish a set of benchmarks by permit type for the time expected to get through planning and building projects. A quarterly report should be created detailing the overall activity of and status of timelines for processing permits for project types against established benchmarks. This recommendation is to be implemented by December 31, 2023.

The recommendation requires further analysis. Planning and Building staff are working with IT staff towards that goal.

Staff is currently working on extracting data from TRAKiT to determine the number of days to process a permit by permit type. There are several variables that need to be considered when extracting such data including the number of days waiting for action by the County (i.e., plan check), the number of days waiting for action by the applicant (i.e., revising plans based on plan check comments) or applicant pauses or delays (no action by applicant

due to other reasons). Staff will likely initially focus on those permit types that have the highest number of applications in both the Planning and Building divisions and eventually add other permit types. A timeframe for completion of this project will not be known until Planning and Building and IT staff have the opportunity to define and extract the data; however, the Planning and Building Department will provide an update to the Board, via memo, no later than December 31, 2023.

- R9. The P&B Department should develop a customer satisfaction survey program to include customer surveys. A customer survey would be sent directly to the homeowner when the building permit is approved and again when the building project is finalized. Summarize the responses and take action as needed. This recommendation should be implemented by December 31, 2023.

The recommendation has been implemented.

In the past, a customer service questionnaire was sent to every person who came into the Planning and Building Department through the department's electronic scheduling system. This included contractors and owners/builders. That scheduling system became obsolete and was discontinued approximately one year ago. Since that time, a paper copy has been made available to all those conducting business in person and is also available as an [online questionnaire](#) that customers can find on the Building and Planning websites under Contact Us. A new electronic scheduling system is currently being implemented and the questionnaire will be incorporated into that once it's successfully launched.

Surveys are not sent to homeowners unless they are the owner/builder or unless they voluntarily choose to fill one out in our lobby or online. Homeowners aren't typically involved in the management and processing of permits and may not ever come in contact with County Planning and Building staff.

The Ombudsman tracks and keeps records of all Customer Service questionnaires. Copies are shared with the managers of any staff specifically named, both positive and negative. For complaints regarding an individual, managers determine appropriate corrective action. This will vary depending on the specific circumstances and is a personnel matter. For general or "system-wide" complaints, the management team discusses and determines appropriate actions to address the issue. Compliments are shared at quarterly "All Hands" meetings so that positive customer service interactions are modeled for all staff. Recommendation 9 is currently being implemented, so this deadline has been met.