



Office of the City Manager

INFORMATION CALENDAR

April 7, 2015

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: Eric Angstadt, Director, Planning and Development
Subject: Audit Update: Construction Permits: Monitor Performance and Fee Assessments to Ensure Excellent and Equitable Customer Service

INTRODUCTION

A Construction Permits audit report¹ was submitted to the City Council on March 25, 2014 with recommendations to improve customer service and equity of service, reduce the risk of theft, improve efficiency, and increase revenues in the Planning Department. The purpose of this information item is to update City Council on the status of implementation of the audit report's recommendations. This is the first status report to the City Council for this audit.

CURRENT SITUATION AND ITS EFFECTS

The audit included nineteen recommendations: Six have been partially implemented and 13 not implemented. Most audit recommendations will not be implemented until December 2015 when the new Accela permitting software configuration and implementation are complete. Please see Attachment 1 for a detailed table of audit report recommendations, corrective action plans, and implementation progress.

The Council date for the next status report is September 2015.

BACKGROUND

Construction permits are primarily handled by the Planning Department's Permit Service Center and Building and Safety Division. The Permit Service Center (PSC) provides permit application intake and payment, plan check coordination and customer service for a variety of customers. Because of the variety of customers the PSC serves, staff from other divisions and departments are often called to the counter to assist a customer with a particular question or need. The Building and Safety Division includes Building Inspection, Housing Inspection, Plan Check, and works closely with representatives from Fire and Public Works. Both Housing and Building Inspectors spend the majority of the day in the field, with the beginning and end of a shift spent in

¹ Audit: Construction Permits – Monitor Performance and Fee Assessments to Ensure Excellent and Equitable Customer Service:

http://www.cityofberkeley.info/Clerk/City_Council/2014/03_Mar/Documents/2014-03-25_Item_27_Audit_Construction_Permits.aspx

the office to answer phone calls and take care of paper work. Plan Checkers frequently interact with applicants either at the Permit Service Center or over the phone.

Additionally, Plan Checkers are often focused on analyzing detail on large paper plans and examining plans in the company of applicants or relevant staff from other divisions and departments. The Permit Service Center processes over 7,000 permits a year, roughly 25 percent of which are Building Permits.²

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects associated with the subject of this report.

POSSIBLE FUTURE ACTION

The Planning Department will continue to work with the Information Technology Department to complete implementation and programming of Accela software for building permits.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

None at this time.

CONTACT PERSON

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Attachments:

1: Audit Findings, Recommendations, and Management Response Summary table

² Audit: Construction Permits – Monitor Performance and Fee Assessments to Ensure Excellent and Equitable Customer Service:
http://www.cityofberkeley.info/Clerk/City_Council/2014/03_Mar/Documents/2014-03-25_Item_27_Audit_Construction_Permits.aspx, page 4.

Audit Title: Construction Permits: Monitor Performance and Fee Assessments to Ensure Excellent and Equitable Customer Service				
Findings and Recommendations	Lead Dept.	Agree, Partially Agree, or Do Not Agree and Corrective Action Plan	Expected or Actual Implementation Date	Status of Outstanding Audit Recommendations and Implementation Progress Summary
Finding 1: Management lacks information needed to effectively monitor performance and ensure excellent and equitable customer service				
1.1 Establish plan check turnaround goals for the PSC that commence immediately after the last agency has completed its plan check.	Planning	Agree. This will be addressed as part of Accela software implementation.	3/25/15	Partially Implemented: Business practice analysis and initial configuration of Accela are completed and include a plan check turnaround goal for the PSC commencing immediately after the last agency has completed its plan check. Programming is ongoing with an expected implementation of the new system by December 2015.
1.2 Develop policies and procedures that identify not-to-exceed goals for customer wait times and methods to reduce high wait times when they occur. Methods should avoid using supervisors to perform staff work (see related Finding 2 and Recommendation 2.1). When wait times exceed the established goal, PSC management should investigate the reasons to	Planning	Agree. The Nemo-Q system is collecting data for management refinement of policies and procedures around customer wait times. As the data becomes more robust we will be able to adjust procedures to ensure that staffing matches peak customer flow and minimizes the time that supervisors are needed to service customer overflow.	9/19/14	Partially Implemented: Wait time goals are established.

Audit Title: Construction Permits: Monitor Performance and Fee Assessments to Ensure Excellent and Equitable Customer Service				
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<p>understand why and adjust the policies and procedures as necessary to ensure they are designed to minimize customer wait times as described.</p> <p>1.3 Establish criteria that plans must meet before PSC staff can accept them:</p> <ul style="list-style-type: none"> ● Publish clear guidance for permit applicants explaining that existing checklists must be used for all permit applications and that PSC staff will not accept plans that do not meet all applicable requirements in the checklists. ● Establish a routine practice for a Plan Checker to meet with permit applicants, prior to submission of complex permit applications, to verify that all required information is included with the permit application. ● Provide PSC staff with additional technical training they need to better understand the criteria for accepting permit applications, plans, and related documents, and require them to reject plans that do not meet the criteria. 	<p>Planning</p>	<p>Agree. Checklists that detail the minimum items required for submittal are appropriate and will be developed. We will define a threshold for complex projects to require a plan check meeting prior to application submission. We will ensure that all PSC staff have the appropriate training to perform their job functions. Senior management reserves the right to make decisions on a case-by-case basis regarding the acceptance of plans (i.e., complete or otherwise). We will continue to evaluate PSC staff on appropriate performance measures and develop new performance measures as new management tools (i.e., Nemo-Q and Accela) allow.</p>	<p>3/25/15</p>	<p>Not Implemented: Business practice analysis and initial configuration of Accela are completed and a pre-application record type and workflow was included. Paper and online forms will be updated as part of final implementation of Accela. Extensive training for staff on new application procedures will be conducted as part of software implementation once programming is finished. Programming is ongoing with an expected implementation of the new system by December 2015.</p>

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<ul style="list-style-type: none"> Establish performance goals and evaluate PSC staff on the percentage of plans they accept that meet and do not meet the criteria. 					
1.4 Routinely verify the reliability of reports generated by the building permit module (and Accela, after implementation) to ensure the information is accurate and reliable to use to monitor performance and improve customer service.	Planning	Agree. We will institute a regular quality control check on the veracity of reports generated by Accela once implemented.	3/25/15	Not Implemented: Business practice analysis and initial configuration of Accela are completed and a number of reports are included as part of the configuration of the program. Programming is ongoing with an expected implementation of the new system by December 2015.	
1.5 Work with Information Technology to ensure that the Accela software is configured to require staff to input the information listed below and that it is incorporated into system reports. Require Planning management to regularly review the reports and use the information to monitor both individual and overall department performance, and to develop and	Planning	Agree. We will work with Information Technology to configure Accela to provide the appropriate information necessary to track department and individual performance and to improve service delivery.	3/25/15	Partially Implemented: Business practice analysis and initial configuration of Accela are completed and these items have been built-in to the architecture and basic functionality of the program. Several items are automated in the configuration,	

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<p>implement changes in practices to improve service delivery through increased efficiency and timeliness. Recorded and monitored information should include:</p> <ul style="list-style-type: none"> Start and end dates and times for each phase of the plan check process, and the specific reason(s) for each missed turnaround goal. Management should identify a list of reasons that will allow them to determine changes needed to improve performance. Amount of time spent performing each plan check review. Number of times plans were required to be resubmitted before Planning had sufficient information to review them, and the reason for each resubmission. 				<p>including: the amount of time spent performing each plan review, the number of times a set of plans was resubmitted, and the reasons for resubmittal of plans. Programming is ongoing with an expected implementation of the new system by December 2015.</p>
<p>1.6 When implementing Accela, identify the fields that should have restrictions as to the type of data that can be entered and work with Information Technology to establish edit controls that will prevent inappropriate data, such as dates in the future, from being</p>	<p>Planning</p>	<p>Agree. During Accela implementation we will work with Information Technology to identify fields to restrict to establish edit controls to prevent inappropriate data entry.</p>	<p>3/25/15</p>	<p>Not Implemented: Permissions for each field will be determined during user acceptance testing of the Accela software, based on the recommendations of</p>

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<p>entered.</p>				<p>division managers, the audit report, and identified best practices. User accepted testing is scheduled to happen once configuration is finalized and before implementation. Programming is ongoing with an expected implementation of the new system by December 2015.</p>
<p>Finding 2: The risk is high that staff could steal, make errors, or inflate performance results</p>				
<p>2.1 Clearly identify what is staff work and what is supervisory work. Develop and implement procedures that prioritize solutions for addressing times of heavy workloads to ensure that supervisors perform staff work only on rare occasions. The procedures should identify another supervisor to review and approve staff work that supervisors perform to ensure that all work undergoes a higher-level supervisory review. (See related</p>	<p>Planning</p>	<p>Agree. We will program Accela workflows to clearly define checks and balances between line staff work and supervisory review. We will configure the Accela software to ensure that an inappropriate combination of activities cannot be performed by a single individual, be it supervisor or line staff. See related response to Recommendation 1.2.</p>	<p>3/25/15</p>	<p>Not Implemented: Permissions for each field and for different user groups (e.g. line staff, supervisor) will be determined during user acceptance testing of the Accela software, based on the recommendations of the division managers, the audit report, and identified best practices. User acceptance testing is</p>

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Recommendation 1.2.)				scheduled to happen once configuration is finalized and before implementation. Programming is ongoing with an expected implementation of the new system by December 2015.
2.2 Ask the Department of Information Technology to prioritize implementation of Windows 7 so staff can quickly and easily switch between users using their own login credentials. Require all PSC staff to adhere to the requirements in AR 3.17 by performing all work only under their own user identification and password, ensure that supervisors understand the importance of and enforce this requirement, and take disciplinary action when the requirements are not followed or enforced. (See related Recommendation 4.1.)	Planning	Agree. Installation and testing of Windows 7 has begun. Staff will be trained on the requirements of AR 3.17. Implementation of Accela will allow greater conformance to this recommendation but management maintains the discretion to determine when disciplinary action is appropriate.	3/25/15	Partially Implemented: All PSC staff have computers running Windows 7, in total, 91 of the 96 computers in the Planning Department have been upgraded to Windows 7. Business practice analysis and initial configuration of Accela are completed. Programming is ongoing with an expected implementation of the new system by December 2015. In order to fully comply with AR 3.17, the Planning Department has obtained authorization to

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<p>2.3 Ensure that no staff can perform combinations of activities that would allow them to both steal and conceal a theft, or to make errors that would not be identified through another person's review. Planning should:</p> <ul style="list-style-type: none"> • Train all Planning Department supervisors to recognize activities that increase the risk of theft and errors. • Identify the specific activities in the plan review, approval, and payment processes that should be performed by different staff to prevent theft and errors. Train supervisors to notice them quickly if they do occur. • Require supervisors to know, understand, and monitor the functions that each of their staff is authorized to perform in systems used to approve permits and receive 	Planning	<p>Agree. We will ensure that staff will attend appropriate City of Berkeley trainings (e.g. Cash Handling 101) to better be able to recognize and address activities that increase the risk of theft and errors. As part of Accela implementation we will configure the software to appropriately separate activities and processes to minimize theft and error potential, maximize supervisory monitoring capabilities and maximize accountability. See Recommendation 2.1. As we develop the workflows in Accela we will use this opportunity to refine internal processes and procedures to increase internal controls and theft prevention while encouraging a clear, quick, easy-to-use permit process.</p>	3/25/15	<p>Not Implemented: Permissions for each field and for different user groups (e.g. line staff, supervisor) will be determined during user acceptance testing of the Accela software, based on the recommendations of the division managers, the audit report, and identified best practices. User acceptance testing is scheduled to happen once configuration is finalized and before implementation. Programming is ongoing with an expected implementation of the new system by December 2015.</p>

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<p>payments (currently the FUND\$ Building Permits and Cash Receipts Modules; the BP Module will be replaced with Accela in 2014).</p> <ul style="list-style-type: none"> Work with the Department of Information Technology during the Accela implementation to ensure that no staff will be able to perform inappropriate combinations of activities, identified during the second step above, when Accela is implemented. <i>This will likely require some restructuring of individual job responsibilities.</i> Work with the Department of Information Technology to restructure FUND\$ authorizations in the CR Module to align with the authorizations established during the Accela implementation. 				
Finding 3: Fee calculation errors cause Planning to lose revenue				
<p>3.1 To reduce the potential for fee errors:</p> <ul style="list-style-type: none"> Combine fees that support a service provided to the majority of permit applicants into the building permit fee. 	Planning	<p>Agree. The ability to implement this recommendation is contingent upon City Council approval of a revised fee structure. Staff will present fee structure options to the City Council for their consideration as part of the FY 16 budget process.</p>	6/30/15	Partially implemented: We have configured Accela to allow for combined permit fees building, mechanical,

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<ul style="list-style-type: none"> Continue to separately assess fees that support a service provided only to certain types of projects (e.g., commercial projects), but assess them only on those projects. Alternatively, develop separate fee structures for residential and commercial construction projects that incorporate all fees required for those specific projects. 				<p>electrical and plumbing under a single permit type. Further work on this recommendation will come when a revised fee schedule is sent to City Council for consideration closer to the software implementation date of December 2015.</p>	
<p>3.2 Submit a proposed resolution to the City Council authorizing Planning to always use a current building valuation table from a recognized industry expert, such as the International Code Council, Marshall and Swift, or RS Means. The valuation table selected should be one that allows adjustment for factors that would affect costs in Berkeley, such as regional cost adjustments. Ideally, the table selected should provide a consistent and equitable means of valuing projects that are based on square footage, as well as those that are not, such as reroof projects, remodels, and</p>	Planning	<p>Agree. We will propose a resolution to City Council to authorize the use of a current building valuation table. Staff will present options for Council consideration prior to the beginning of the FY 2016 fiscal year.</p>	6/30/15	<p>Partially implemented: We have configured Accela to allow for the use of a current building valuation table. Further work on this recommendation will come when a revised fee schedule is sent to City Council for consideration closer to the software implementation date of December 2015.</p>	

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renovations.					
3.3 If the valuation table selected in Recommendation 3.2 does not provide the capability to value projects based on factors other than square footage, develop and implement clear criteria and guidance for valuing projects to ensure staff value such projects consistently and equitably. If necessary, modify the permit application form to ensure it includes the type of information needed to accurately calculate the project value, based on the valuation table and/or selected criteria.	Planning	Agree. We will develop clear criteria for project valuation supplementary to the guidance provided by the valuation table to ensure equitable and consistent staff valuation of projects. Once the criteria are developed, the permit application form will be revised, if needed, to provide any additional information required to calculate project value.	6/30/15	Not Implemented: Business practice analysis and initial configuration of Accela are completed and project valuation is part of the configuration of the program. Paper and online forms will be updated as part of final implementation of Accela. Programming is ongoing with an expected implementation of the new system by December 2015.	
3.4 To ensure that project valuations and fees are accurate: <ul style="list-style-type: none"> ● Require Plan Checkers to: <ul style="list-style-type: none"> ○ Verify quantities on permit applications that are used as a basis for calculating fees (e.g., electrical, plumbing, and mechanical) with those on the plans, and update the quantities in the Building Permit 	Planning	Agree. We will utilize Accela to provide an easier and better set of tools to update valuations and ensure valuation accuracy before issuance of permits. Accela will also allow the automatic recalculation of fees when quantities change, as well as provide an audit trail of when, where, and how valuations change. We also adjust procedures and monitoring processes accordingly to match the changes made	3/25/15	Not Implemented: Business practice analysis and initial configuration of Accela are completed and project valuation is part of the configuration of the program. The configuration includes a valuation history table to provide an audit trail of	

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<p>Module/Accela as necessary. Plan Checkers should note and initial on the permit application any changes they make.</p> <ul style="list-style-type: none"> ○ Verify permit applicants' stated project valuations and always use the higher valuation to calculate fees, unless the Building Official provides a reasonable basis for exceptions, such as when the permit applicant can show detailed estimates. Planning's calculation should be done through Accela, if possible (see Recommendation 3.5 below). ● Require permit applicants to submit new applications or update and initial changes when changing the type and quantity of work to be performed and for PSC staff to enter the updated information into Accela. ● Develop and implement a process that establishes responsibility for ensuring that all corrections to project values are updated in the BP Module screen (Accela, after implementation) that is used to 		possible by Accela.		changes to valuation. Additionally, the configuration automatically recalculates fees when quantities are changed. Programming is ongoing with an expected implementation of the new system by December 2015.

Audit Title: Construction Permits: Monitor Performance and Fee Assessments to Ensure Excellent and Equitable Customer Service				
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<p>calculate permit fees. The process should not require staff who collect fees to update those values.</p> <ul style="list-style-type: none"> Require PSC supervisors to monitor and review, on a sample basis, the accuracy of their staff's building permit data entry, including square footage and quantities. 				
<p>3.5 Work with Information Technology during the Accela implementation to ensure it is configured so each element used to calculate permit fees (e.g., square footage, number of meters or receptacles, furnace) is a required field that, if left blank, would prevent PSC staff from completing data entry for a permit.</p>	<p>Planning</p>	<p>Agree. We will configure Accela to make all permit-fee-calculation-dependent entries required fields.</p>	<p>3/25/15</p>	<p>Not Implemented: Designation of required fields will be determined during user acceptance testing of the Accela software, based on the recommendations of division managers, the audit report, and identified best practices. User acceptance testing is scheduled to happen once configuration is finalized and before implementation. Programming is ongoing with an expected implementation of the new system by December</p>

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3.6 After obtaining approval to always use a current building valuation table and if allowed by the publisher, work with Information Technology to: <ul style="list-style-type: none"> • Build the new costs into Accela. • Update the costs whenever the industry expert publishes updates. • Ensure that, when implemented, Accela is configured to calculate the minimum project value for every permit, based on the required cost elements for the project. <p>If the publisher does not allow the costs to be built in, develop and implement policies and procedures to ensure that Plan Checkers verify the accuracy of the permit applicant's stated project value, and update the values in Accela as appropriate.</p>	Planning	Agree. If possible, we will create dynamic building valuation in Accela, reflective of the current building valuation table, that can be updated as necessary and can calculate minimum project value per permit based on required cost elements.	3/25/15	Not Implemented: Business practice analysis and initial configuration of Accela are completed and the ability to reflect a current building valuation table and to calculate minimum project value is part of the configuration of the program. Programming is ongoing with an expected implementation of the new system by December 2015.	
3.7 Work with Information Technology to ensure that Accela is configured to calculate fees based on the criteria in the fee schedule rather than rounded project valuations.	Planning	Agree. We will configure Accela to calculate fees based on fee schedule criteria.	3/25/15	Not Implemented: Business practice analysis and initial configuration of Accela are completed and fee calculation based on the fee schedule is part of	

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				the configuration of the program. Programming is ongoing with an expected implementation of the new system by December 2015.
3.8 Work with the City Clerk's Office to revive the project for making construction documents (i.e., plans, permits, and related documents) readily available for public and staff viewing. Develop a timeline for imaging all older documents and set aside time for staff to image those documents within the timeline. If necessary, and feasible within budget constraints, hire temporary staff to locate, prepare, and image the multi-year backlog of documents.	Planning	Agree. We will revive the construction document imaging/accessibility project, develop a timeline for imaging older documents, and earmark the requisite staff time to assist in imaging-related tasks.	6/30/16	Not Implemented: Business practice analysis and initial configuration of Accela are completed and electronic plans and permits are part of the configuration of the program. Programming is ongoing with an expected implementation of the new system by December 2015. The City Clerk's Office obtained and is in the process of implementing a new content management system. We will revive the construction document imaging/accessibility project once the software is in place.

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Finding 4: High-risk cashiering and credit card practices significantly increase the risk of employee theft				
4.1 When implementing Accela, require each PSC cashier to have, and use, his or her own cash drawer, user identification, and password when cashiering. The cash register must identify the employee responsible for every cash register entry. In the meantime, implement procedures, such as limiting use of each register to the person who is logged into it or changing out cash drawers as register users change, to mitigate the risk of not being able to assign responsibility for individual transaction errors, including overages and shortages.	Planning	Agree. Accela will improve the situation by requiring staff to use their own login credentials. However, the physical configuration of the building makes individual cash drawers difficult to implement at this time. We agree with the potential solutions and will develop a plan within a year to address the finding.	3/25/15	Not Implemented: Business practice analysis and initial configuration of Accela are completed and this item is part of the configuration of the program. Programming is ongoing with an expected implementation of the new system by December 2015. Additionally, the Planning Department has obtained authorization to add a position from the appropriate classification to function as a cashier in the PSC. This recruitment is currently open.
4.2 As soon as possible, implement the process identified by the Planning Director for securing faxed credit card information. Require staff to enter credit card information immediately when a permit applicant drops off a	Planning	Agree with alternative. We are currently working with Information Technology on the solution for securing faxed credit card information. The other problems identified in Findings and Recommendation 4.2 will be addressed by Accela, in particular, its capacity to accept and process credit card	3/25/15	Not Implemented: Business practice analysis and initial configuration of Accela are completed and this item is part of the configuration of the

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credit card authorization form and then shred the form. This will likely mean not accepting a dropped-off credit card authorization form unless the project has already been entered into the permit system. Alternatively, Planning could set up a computer in the PSC that would allow customers to enter their credit card information online without PSC staff ever seeing that information.		payments in a secure online environment.		program. Programming is ongoing with an expected implementation of the new system by December 2015. Additionally, the Planning Department has obtained authorization to add a position from the appropriate classification to function as a cashier in the PSC. This recruitment is currently open.