To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: LaTanya Bellow, Director of Human Resources

Subject: Classification and Salary: Building and Safety Manager, Assistant Building and Safety Manager

RECOMMENDATIONS
Adopt a Resolution: 1) amending Resolution No. 67,485-N.S., Classification and Salary Resolution for Public Employees Union – Local One, to revise the classification of Building and Safety Manager with a monthly salary range of $11,891.00 - $14,890.00 effective May 15, 2018; and 2) amending Resolution No. 67,485-N.S., Classification and Salary Resolution for Public Employees Union – Local One, to revise the classification of Assistant Building and Safety Manager with a monthly salary range of $11,053.67 - $13,436 effective May 15, 2018.

FISCAL IMPACTS OF RECOMMENDATION
The estimated annual cost (salary and benefits) of these positions in FY 2018-2019 is $256,015 for the Building and Safety Manager and $218,212 for the Assistant Building and Safety Manager. The fiscal impact to the Planning Department will be an increase of approximately $47,500/year. The Building and Safety Division will fund the cost of this increase from account code 833-8602-463.11-01. The Planning Department has sufficient operating income to cover this additional cost.

CURRENT SITUATION AND ITS EFFECTS
Timothy Burroughs, Director of Planning, has requested the revision of both the Building and Safety Manager classification and the Assistant Building and Safety Manager in the Building and Safety Division to provide the business operation oversight and the day-to-day management of the Building and Safety Division. The Planning Department’s Building and Safety Division has five sections consisting of the Plan Check Section, Permit Service Center, Building Inspection, Housing Inspection and Community Services & Administration, with a total staff of 42 employees. The Building & Safety Division is primarily responsible for reviewing construction plans for code compliance, processing and issuing permits, providing inspections, and conducting code enforcement activities. The Building and Safety Division also investigates work done without permits, recommends and implements local code amendments and ordinances,
works to ensure the safety of Berkeley's rental housing stock and manages programs to mitigate seismic risk in existing buildings.

The Division’s Permit Service Center (PSC) provides one-stop customer service for those seeking building, zoning, engineering, fire, health and other permits and information. The Plan Check Section reviews all building plan submittals for conformance with the Building Standards Code and related Codes and City Ordinances.

The Building Inspection Section inspects all construction projects for conformance with the approved plans, Building, Electrical, Mechanical, Plumbing Codes, Energy and Green Standards Codes and local Ordinances. The Housing Inspection Section conducts investigative inspections based on tenant complaints of habitability deficiencies in residential rental units and re-inspections until code compliance is achieved. The Community Services & Administration Section provide administrative and technical support and administers multiple building safety mitigation programs.

In 2013, the Planning Department created the Assistant Building and Safety Manager to assist the Building and Safety Manager with the supervision of several direct reports. At the time, the department had less than 20 FTE with 7.85 FTE reporting directly to the Building and Safety Manager. The Assistant Building and Safety Manager was tasked with supervising four positions in the Plan Check Section.

Between 2013 and 2018 the Building and Safety Division inherited two additional units; the Housing Inspection Unit, which was moved from the Department of Health Housing and Community Services and the Permit Service Center. The Housing Inspection Unit consists of the Housing Code Enforcement and Rental Housing Safety Programs which works closely with the Planning Department’s Inspections Unit. The Permit Service Center previously reported directly to the Director of Planning. However, since the Permit Center acts as the triage unit for many of the Division’s assignments, it made more sense to have it report under Building and Safety Division.

The Division has now grown to 42 FTE. Due to the increase in staff and variety of units, it was decided that the Assistant Building and Safety Manager would have primary oversight for the Plan Check Section and the Permit Service Center. The Plan Check Section is led by the Senior Building Plans Engineer and the Permit Service Center is led by the Permit Service Coordinator.

The Senior Building Plans Engineer previously reported directly to the Building and Safety Manager, however, due to the increase in direct reports, the Plan Check Section supervision was shifted to the Assistant Building and Safety Manager. This caused a salary compaction issue to arise. The current salary range of a Senior Building Plans Engineer is $127,140.00 - $153,552.00 annually. The Assistant Building and Safety Manager currently makes $118,140.00 - $145,032.00 annually.
The Department of Human Resources conducted a salary survey for similar classifications to both the Assistant Building and Safety Manager and the Building and Safety Manager. Thirteen comparable jurisdictions were surveyed as outlined in the Local One Memorandum of Understanding. Out of the thirteen surveyed jurisdictions, five jurisdictions had comparable classifications to our Assistant Building and Safety Manager. In addition, we reviewed the internal relationships between the supervisory and managerial classes within the Building and Safety Division. The findings revealed that there is a current -1.47% compaction between the Assistant Building & Safety Manager and the Senior Building Plans Engineer.

We surveyed the same jurisdictions for a comparable match to our Manager of the Building and Safety Division, however, due to the variety of units Building and Safety Manager now oversees, we were unable to find a match. Instead, we looked to comparable departments within the City of Berkeley to provide for more internal equity. The closest match, in terms of level of responsibility, complexity of duties, and staff size, is the Manager of Engineering.

In an effort to address both the salary compaction and the increased size and responsibility of the Building and Safety Division, the Department of Human Resources is recommending to raise the salary range of the Assistant Building and Safety Manager by 10% and the Building and Safety Manager by 7.24%. This will allow for an approximate 5% pay differential between the Senior Building Plans Engineer, the Assistant Building and Safety Manager, and a 10.82% differential between the Assistant Building and Safety Manager and the Building and Safety Manager.

BACKGROUND
The Personnel Board discussed the proposal at its April 2, 2018 meeting and voted (Yes: Bartlow, Dixon, Howard, Lacey, Murray, Popper, Wenk; Absent: Hunt, Kidd) to recommend the following to the City Council:

1. Revise the classification of Building and Safety Manager, exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and eligible for Administrative Leave, in Representation Unit P1 (Professional), with a 5-step monthly salary range of $11,891.00 - $14,890.00.
2. Revise the classification of Assistant Building and Safety Manager, exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and eligible for Administrative Leave, in Representation Unit P1 (Professional), with a 5-step monthly salary range of $11,053.00 - $13,436.00.

ENVIRONMENTAL SUSTAINABILITY
There are no identifiable environmental effects or opportunities associated with the subject of this report.
RATIONALE FOR RECOMMENDATIONS
It has been the policy of the City to maintain and revise the classification and salary schedule on a regular basis to accommodate assignment of new duties and responsibilities, reflect programmatic changes, maintain competitive salaries and, when applicable, comply with regulatory requirements.

ALTERNATIVE ACTIONS CONSIDERED
None

CONTACT PERSON
Kimberly Castillo, Senior Human Resources Analyst, 981-6820

Attachments:
1. Class Specification – Building and Safety Manager
2. Class Specification – Assistant Building and Safety Manager
3. Resolution and Exhibit A: Salary Schedule
Building and Safety Manager

Bargaining Unit: Public Employees Union, Local One

CITY OF BERKELEY
Established Date: Oct 1, 2004
Revision Date:

Class Code: 13060

SALARY RANGE

$68.60 - $85.90 Hourly
$5,488.15 - $6,872.31 Biweekly
$11,891.00 - $14,890.00 Monthly
$142,692.00 - $178,680.00 Annually

DESCRIPTION:

DEFINITION

Under administrative direction, plans, organizes and directs a comprehensive city building plan review, permitting and inspection services and inspection program to ensure compliance with federal, state and municipal building and housing codes and ordinances; serves as the City's Chief Building Official; performs related work as assigned.

CLASS CHARACTERISTICS

The Building and Safety Manager is designated as the City's Chief Building Official and has division level responsibilities for the overall administration and direction of the City's building, zoning, housing, fire, and related codes and regulations. The incumbent is responsible for formulating policy, developing goals and objectives, supervising staff, administering the division budget and directing day-to-day permitting plan review and inspection operations. Assignments allow for a high degree of administrative discretion in their execution. The Building and Safety Manager is distinguished from the Director of Planning in that the latter has overall management responsibility for all divisions and functions of the Planning and Development Department including Building and Safety, Land Use Planning, Toxics, Energy and Sustainable Development, Permit Service Center, and Administration.

EXAMPLES OF DUTIES:
The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

1. Advises the Director of Planning on all aspects of building, housing, and related code interpretations;

2. Directs the work of all units within the Building and Safety Division

3. Directs and administers activities and programs in compliance with federal, state and municipal codes and regulations and ordinances governing city housing, building
construction, rehabilitation, alteration, use and occupancy;

4. Analyzes, reviews and prepares code amendments and regulations; keeps informed on current regulations, changes in codes and legislation, new building materials and construction methods;

5. Furnishes updated interpretations of codes and regulations to City staff and enforces these codes;

6. Manages emergency response operations and building hazard mitigation programs of the Building and Safety Division

7. Directs and administers and enforces the City’s Building and Housing Code enforcement programs;

8. Directs and administers the City’s Rental Housing Safety Program;

9. Provides staff leadership and technical assistance to the Housing Advisory Commission for purposes of Building Code and Housing Code appeals; and provides staff leadership and technical assistance to other committees, commissions or boards, either directly or through professional staff;

10. Works closely with other division managers and City staff to solve a broad range of service delivery, community and administrative problems;

11. Selects, directs, trains assigns and evaluates professional and administrative support staff;

12. Develops, revises and implements administrative and work programs and procedures for the smooth operation and organization of division functions;

13. Sets work priorities, coordinates and schedules assignments and establishes goals and objectives;

14. Prepares a variety of written material, including staff reports, memoranda, and correspondence; and

15. Performs related work as assigned.

**KNOWLEDGE AND ABILITIES:**

Note: The level and scope of the knowledge, skills and abilities listed below are related to job duties as defined under Class Characteristics.

Knowledge of:

16. Principles and practices of effective employee supervision, including selection, training, work evaluation and discipline;

17. Federal, state and local codes and regulations governing housing and building construction, rehabilitation, alteration, use, and occupancy;

18. Problems, trends and approaches used in municipal code inspection and enforcement programs;

19. Low and moderate income housing needs within a sizable urban setting;

20. Local government organization and service delivery, especially as it relates to assigned
managerial area of responsibility; and

21. Structural design and engineering concepts and building construction.

Ability to:

22. Plan, organize, direct and coordinate a variety of functional specialties with overlapping work areas;

23. Select, motivate, and evaluate staff and provide for their training and development;

24. Prepare, administer and monitor a division budget;

25. Analyze complex operational and administrative problems, evaluate alternatives and recommend or adopt effective courses of action;

26. Develop and implement goals, objectives, policies, procedures, work standards and management controls;

27. Prepare clear and concise records, reports, correspondence and other written materials and make clear oral presentations;

28. Exercise independent judgment within general policy guidelines;

29. Establish and maintain effective working relationships with those encountered in the course of the work; and

30. Establish and maintain an effective public relations program.

MINIMUM QUALIFICATIONS:

A TYPICAL WAY OF GAINING THE KNOWLEDGE AND SKILLS OUTLINED ABOVE IS:
Equivalent to graduation from a college or university with a major in civil engineering, architecture, urban planning or a closely related field; and five (5) years of experience in building services and enforcement functions (including standards development), which includes at least five (5) years of professional level experience in the enforcement of building codes and ordinances. At least two (2) years of the experience noted above must have included responsibility for the supervision of a sizable enforcement staff. Experience in dealing with citizen boards is desirable.

Substitutions:

31. Progressively responsible related experience may be substituted for the college course work on a year-for-year basis.

32. Possession of an International Code Council (ICC) Building Official certification and five (5) years of progressively responsible experience at a senior level in building and safety services equivalent to the Senior Building Plans Examiner may be substituted for the supervisory experience.

OTHER REQUIREMENTS:

Possession of a valid International Code Council (ICC) Plans Examiner or Building Inspector certification is required. A California license as a Structural or Civil Engineer is desirable. Must be able to travel to various locations within and outside the City of Berkeley to meet the program needs and to fulfill the job responsibilities. When driving on City business, the incumbent is required to
maintain a valid California driver’s license as well as a satisfactory driving record. Must be able to attend evening meetings.

**CLASSIFICATION HISTORY:**

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<thead>
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<th>Building and Safety Manager</th>
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<tr>
<td>Classification Code</td>
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<td>Workers’ Compensation Code</td>
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Assistant Building and Safety Manager

Bargaining Unit: Public Employees Union, Local One

CITY OF BERKELEY
Established Date: Oct 1, 2013
Revision Date:

Class Code: 14590

SALARY RANGE
$63.77 - $77.51 Hourly
$5,063 - $6,201 Biweekly
$11,053.67 - $13,436.00 Monthly
$132,644.04 - $161,229.60 Annually

DESCRIPTION:

DEFINITION
Under general direction, assists in the overall management of the Building and Safety Division; plans, organizes, and directs the activities of assigned sections of the Building and Safety Division; supervises professional, technical and administrative staff; develops and implements programs and policies for assigned area; and performs related work as assigned.

CLASS CHARACTERISTICS
This single position class has responsibility for participating in the planning, development, administration, and evaluation of operations of the Building and Safety Division in collaboration with section managers and staff. The Assistant Building and Safety Manager may be assigned various operating or administrative program responsibilities for the division. The incumbent is a working supervisor responsible for planning, organizing, assigning, and evaluating the work of assigned sections and staff. Assignments are varied and allow for the exercise of considerable judgment and independence in the interpretation of codes and regulations for assigned areas. The Assistant Building and Safety Manager is distinguished from the Building and Safety Manager in that the latter has overall management responsibility for the Building and Safety Division. This position acts as Building and Safety Manager in his/her absence.

EXAMPLES OF DUTIES:
The following list of duties is intended to only describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

1. Plans, organizes, assigns, directs, reviews and supervises the work of professional/technical staff responsible for various functions of the Building and Safety Division including but not limited to permit processing, plan review and assigned administrative staff activities; assists in selection of assigned staff; trains, evaluates, and recommends promotion and disciplinary
actions as appropriate;

2. Identifies, develops, and directs the implementation of priorities, goals, objectives, policies, procedures, and work standards for the assigned work unit; reviews the effectiveness and efficiency of delivery of services, work flow, and unit organization, and identifies methods or systems to improve effectiveness and efficiency;

3. Advises and assists staff in the interpretation of complex building regulations and reviews their work to ensure consistency and effectiveness in enforcing codes and implement policies;

4. Analyzes information and renders decisions regarding the approval of construction plans; prepares correspondence to architects, engineers, contractors and owners relating to the plan check correction; reviews proposals and makes recommendations to Building and Safety Manager on acceptance of alternative materials, designs and methods of construction; reviews requests for unreasonable hardship exemption to disabled access requirements and makes recommendations on acceptance;

5. Confers with homeowners, builders, engineers, and architects to give and obtain information, interpret building codes and regulations, and respond to complaints regarding actions/decisions of subordinate staff; upon request, conducts or participates in pre-application and pre-construction meetings;

6. Reviews and oversees the activities of outside plan check contract staff to ensure work is in compliance with department practices and contract terms;

7. Works closely with the Fire Department, Public Works Department, and other essential personnel on Post-Earthquake Building Safety Assessment Program and Emergency Operations procedures in event of natural disaster or other emergency events;

8. Works closely with other unit supervisors, division managers, and City staff to coordinate activities, deliver optimal customer service, and to solve a variety of customer problems;

9. Ensures appropriate staff is informed and current on changes and new legislation pertaining to codes and regulations affecting work of the assigned area;

10. On as-needed basis, attends Commission meetings such as Housing Advisory Commission, Disaster and Fire Safety Commission, Rent Stabilization Board, Planning Commission, City Council, and makes presentations as needed;

11. Prepares a variety of written material such as staff reports, memoranda, and correspondence, including reports to the Housing Advisory Commission and other City Commissions;

12. Manages special projects as assigned;

13. Acts as Building and Safety Manager in his/her absence; and

14. Performs related duties as required.

KNOWLEDGE AND ABILITIES:

Note: The level and scope of the knowledge, skills and abilities listed below are related to job duties as defined under Class Characteristics.
Knowledge of:

1. Principles and practices of effective supervision, including work assignment, employee selection, training and evaluation;

2. Federal, state, and municipal codes and regulations governing building construction, rehabilitation, alteration, use, and occupancy (including building, electrical, plumbing, mechanical, energy, and green building standards codes);

3. Practices of construction technology and principles of architecture and structural engineering;

4. Residential, commercial, and industrial construction materials, methods, and equipment;

5. Non-structural plan review practices;

6. Appropriate safety and fire prevention construction and building methods; and

7. Conflict resolution techniques.

Ability to:

1. Plan, organize, assign, and evaluate the work of professional and administrative support staff;

2. Train and advise staff in work procedures and techniques;

3. Effectively supervise, lead, and motivate staff to work together effectively as a team;

4. Develop and implement goals, objectives, policies, procedures, and work standards and identify methods and systems to improve service delivery, work flow, and organization of assigned units;

5. Perform detailed analysis and examination of building and construction designs, specifications, and plans for residential, commercial, and industrial buildings; determine compliance with relevant codes and regulations, approve or suggest corrections to construction documents, and make recommendations as appropriate;

6. Apply engineering, construction, and architectural principles and techniques including seismic, life safety, energy conservation, accessibility elements to the solution of complex residential, commercial, and industrial construction-related problems;

7. Interpret and apply federal, state, and municipal building codes and regulations;

8. Analyze information, data, and reports to reach sound conclusions, and make effective decisions in a timely manner;

9. Deal tactfully and effectively with the public, City staff, other agencies, homeowners, builders, design firms, contractors, developers, manufacturers, and others encountered during the course of the work;

10. Prepare clear, concise, and accurate reports, correspondence, and other written materials;

11. Verbally communicate information and concepts so others will understand, including technical terms, codes, and regulations;

12. Effectively resolve problems and disagreements;
13. Organize work, establish priorities, and exercise sound/independent judgment within established guidelines; and

14. Use a computer and work-related computer applications, such as word processing, permit tracking software, spreadsheets, database management, electronic mail, and the Internet.

**MINIMUM QUALIFICATIONS:**

A TYPICAL WAY OF GAINING THE KNOWLEDGE, SKILLS, AND ABILITIES OUTLINED ABOVE IS:

Equivalent to graduation from a four-year college or university with major coursework in civil or structural engineering or architecture and five (5) years of experience in the review of residential, commercial, and/or industrial building and construction plans, and specifications and the interpretation and enforcement of building codes and ordinances. Some lead or supervisory experience is desirable.

**OTHER REQUIREMENTS**

Must possess a valid International Code Council (ICC) Plans Examiner Certification or Building Inspector Certification and Building Official Certification. A California license as a Structural or Civil Engineer or Architect is desirable. Possession of California State Certified Access Specialist (CASp) certification is highly desirable.

Must be able to travel to various locations within and outside the City of Berkeley to meet the program needs and to fulfill the job responsibilities. When driving on City business, the incumbent is required to maintain a valid California Driver’s license, as well as a satisfactory driving record.

**CLASSIFICATION HISTORY:**

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RESOLUTION NO. ##,####-N.S.

CLASSIFICATION REVISION: BUILDING AND SAFETY MANAGER AND ASSISTANT BUILDING AND SAFETY MANAGER

WHEREAS, the Human Resources Department maintains the Classification and Compensation plan for the City of Berkeley; and

WHEREAS, the Director of Planning had recommended revising the Building and Safety Manager and Assistant Building and Safety Manager classification; and

WHEREAS, the Building and Safety Division and Human Resources Department have completed a classification review; and

WHEREAS, the Personnel Board recommended on April 2, 2018 to revise the classification of Building and Safety Manager exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and eligible for Administrative Leave, in Representation Unit P1 (Professional), with a 5-step monthly salary range of $11,891 - $12,576 - $13,334 - $14,075 - $14,890 effective May 15, 2018; and

WHEREAS, the Personnel Board recommended on April 2, 2018 to revise the classification of Assistant Building and Safety Manager exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and eligible for Administrative Leave, in Representation Unit P1 (Professional), with a 5-step monthly salary range of $11,054 - $11,606 - $12,187 - $12,796 - $13,436 effective May 15, 2018.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Resolution No. 67,485-N.S., Classification and Salary Resolution for Public Employees Union – Local One, is amended to revise the classification of Building and Safety Manager and Assistant Building and Safety Manager with a salary range as shown in Exhibit A effective May 15, 2018.
### Exhibit A

**Salary Schedule**

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<th>Unit</th>
<th>Class Description</th>
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