OSBM
12-17-09

MIAMI-DADE COUNTY

Building and Neighborhood Compliance Department Business Plan

Fiscal Years: 2010 and 2011
(10/1/09 through 9/30/11)

Plan Date: December 1, 2009

Approved by:

Charles Danger, P.E., Department Director

Alex Muñoz, Assistant County Manager

TABLE OF CONTENTS

DEPARTMENT PURPOSE/MISSION	Page 3
STRATEGIC ALIGNMENT	Page 3-4
PERFORMANCE MEASURES AND TARGETS	Page 4
CRITICAL SUCCESS FACTORS	Page 5
INTERNAL SUPPORT REQUIREMENTS	Page 5-6
SUSTAINABILITY	Page 6
3 to 5 YEAR OUTLOOK	Page 7

Attachment 1
DEPARTMENTAL PROFILE
- Table of Organization
- Financial Summary
- Capital Budget Summary
- Business Environment

Attachment 2
BUSINESS PLAN REPORT

DEPARTMENT PURPOSE/MISSION

Provide efficient, accountable, and responsive building permit services and enforce construction and neighborhood regulations to safeguard citizens, property and the built environment.

Additional departmental information can be found in the Departmental Profile (Attachment 1).

STRATEGIC ALIGNMENT

I. The Department's efforts align with the following Miami-Dade County Strategic Plan Goals:

1. Use consistent, fair and effective means to achieve code compliance (NU4)
2. Capitalize on technology to improve services, increase efficiency and provide greater information access and exchange (ES4)
3. Ensure the financial viability of the County through sound financial management practices (ES8)

II. Department-related Strategic Plan Outcomes, Departmental Objectives, and Programs & Initiatives:

1.1 Resident and business voluntary compliance with County Codes (NU4-1)

1.1.a. Review 100% of Plans within deadlines established by administrative order (ongoing)

- Expand and enhance the electronic plans submittal program

1.1.b. Reduce the average Building processing time from permit application to permit issuance

- Continue to provide Building Code Workshops

1.1.c. Reduce Permit inspection rejection rate

- Continue to provide Building Code Workshops (ongoing)

1.1.d. Reduce the average number of carryover inspections

1.1.e. Increase the percentage of expired permit cases that are closed prior to ticket issuance

1.1. f Improve Neighborhood Code compliance

- Increase voluntary compliance responsiveness

1.2 Timely identification and remediation of nuisances, including unsafe structures (NU4.2)

1.2.a Reduce the Unsafe Structures case average processing time

- Establish benchmarks along the process to identify bottlenecks (ongoing)

1.2.b. Reduce the average number of days from complaint received to initial inspection of Building Code enforcement cases

- Modify the enforcement policies and the Building Support System to allow for a more efficient use of staff (ongoing)

1.2.c. Reduce the average number of days to perform Building Code Notice of Violation Compliance Inspection

- Modify the enforcement policies and the Building Support System to allow for a more efficient use of staff

1.2.d. Maintain the average number of days from complaint received to initial inspection of Neighborhood Code enforcement cases

- Modify the enforcement policies and enhance the Case Management System to allow for a more efficient use of staff (ongoing)

1.2.e. Provide twelve (12) Building and Neighborhood Code Workshops to the construction industry and general public

- Online application for workshop notification and registration (ongoing)
- Online application to report Continuing Education Units (CEU's) earned by participants to respective regulatory boards and for certificate issuance (ongoing)
- Inclusion of neighborhood and sustainability related topics (set back regulations, water and energy conservation, etc.) (ongoing)

1.2.f. Decrease the percentage of plans rejected

- Simplify checklists and migrate from voluntary to mandatory use (ongoing)

1.3 Consistent interpretation and application of enforcement practices (NU4-3)

- Ensure ongoing training is provided for inspectors and compliance officers
- Ensure procedures are revised as required by code changes and related training is provided

1.4 County processes improved through information technology (ES4-6)

- Enhance and integrate technology as required by the merger of the Building Code and Neighborhood Compliance enforcement functions
- Continue to enhance the existing technologies and systems to allow for a more efficient use of staff

1.5 Planned necessary resources to meet current and future operating and capital needs (ES8-2)

1.5.a. Continue to monitor revenue and expenditures on a monthly and quarterly basis to ensure effective budgeting and cost accounting practices

- Review and restructure the fee schedule as needed
- Assess and adjust staffing levels consistent with service demands
- Evaluate and adjust office space allocation consistent with approved staffing levels

1.6 Compliance with financial laws and generally accepted accounting principles, etc. (ES8-3)

1.6.1. Continue to comply with the County's Prompt Payment Ordinance

PERFORMANCE MEASURES AND TARGETS

For ease of reference, specific information regarding departmental objectives and performance measures including the targets for FY 2009-10 and FY 2010-11 can be found in Attachment 2 – Business Plan Report.

CRITICAL SUCCESS FACTORS

- Approval of legislative changes to the Miami-Dade Code needed for conformance with the merger of Building and Office of Neighborhood Compliance departments and with other policy decisions that have impacted enforcement strategies and priorities
- Continue to automate processes and maintain and enhance existing technology in order to improve staff efficiency and mitigate the impact of staff reduction resulting from budget reduction
- Prompt economic recovery to reduce the accelerated rate of neighborhood deterioration and improve citizen responsiveness to enforcement action
- Secure resources to conduct recurring external and internal customer satisfaction surveys
- Stabilization of construction activity/permit revenue
- No extraordinary annexation/incorporation
- No extraordinary increase in the private provider permitting service
- Uneventful hurricane season or hurricane season of minimum impact
- No additional out of cycle code changes
- Find additional sources of revenue to fund additional enforcement staff

INTERNAL SUPPORT REQUIREMENTS

- The collaboration of other County departments in the implementation of improvements, specifically the understanding and commitment from Enterprise Technology Services Department (ETSD), Office of Capital Improvement (OCI), Clerk of the Courts (COC) and Department of Procurement Management (DPM) are crucial to successfully implement the procedures intended to streamline processes
- The centralization of the County's system to process complaints and realignment of enforcement functions BNC, Public Works (PWD), Solid Waste Management (SWM), Miami-Dade Fire-Rescue (MDFR) and Building Code Compliance Office (BCCO).
- The aggressive prosecution of contractors by disciplinary boards (BCCO)

Critical Success Factors for Specific Objectives

- Continue to promote and expand electronic plans submittal program
  - Sufficient permit revenue to continue to fund the program
  - Acceptance and support from customers
- Provide Building Code Workshops
  - Sufficient permit revenue to fund this activity
- Reduce field inspection rejection rate and the percentage of plans rejected
  - Industry participation in Building Code Workshops offered by the Department
  - Economic recovery resulting in sufficient permit revenue to maintain current staffing levels
- Reduce the average number of days for Building Code enforcement response to initial and follow up inspections
  - Economic recovery resulting in sufficient enforcement revenue to maintain current staffing levels
  - Economic recovery resulting in less influx of enforcement cases (expired permits, lack of building maintenance and work without permit)
- Reduce the Unsafe Structures case average processing time
  - Sufficient enforcement revenue to maintain current staffing levels and continue to support and enhance technology
  - Economic recovery resulting in less influx of enforcement cases (foreclosures, abandoned property and related vandalism)
- Maintain the average number of days from Neighborhood Code complaint received to initial inspection
- Sufficient enforcement revenue to maintain current staffing levels and continue to support and enhance technology
  - Economic recovery resulting in less influx of enforcement cases due to lack of maintenance, multifamily proliferation, foreclosures, abandoned property, vandalism etc.

SUSTAINABILITY

Awareness

During FY 08/09 fourteen (14) staff members received Leadership in Energy and Environmental Design (LEED) certification training and nine (9) staff members obtained LEED certification. Additionally, all department building code officials (86) received four (4) contact hours of LEED instruction as part of their continuing education requirements.

Performance Measurement Targets

1. Reduce Departmental Paper Consumption by 5%
2. Reduce Departmental Toner Cartridge Consumption by 5%
3. Reduce Departmental Fuel Consumption by 3%

3 to 5 YEAR OUTLOOK

- The deterioration of the economic environment, which started to impact the construction industry and the associated permit activity during FY 05-06, persisted throughout FY 08-09. This has resulted in a drastic reduction in permit activity and associated revenue. There is no indication of construction industry stabilization or economic recovery to occur during FY 09-10.

- The department's permit revenue for FY 08-09 fell 16.8% below the budgeted projections. In response to the continued revenue decline the department has adjusted expenditure. During FY 08-09 forty five (45) Building positions were eliminated and additional ten (10) positions were eliminated at the beginning of FY 09-10. The department continues to closely monitor permit revenues and additional reductions may be required.

- The increase in abandoned and foreclosed real property and the associated decline in property value which led to drastic county-wide budget cuts resulted in a funding reduction of the Neighborhood enforcement activity by the elimination of forty eight positions and other expenditure reduction. During FY 09-10 the department will re-align enforcement priorities; combine enforcement duties and re-assign functions, and streamline processes by the use of technology to improve staff efficiency in an attempt to minimize service impact. Further funding and staff reduction may be necessary and is expected to have serious impact to the department's ability to respond to complaints and enforce the Neighborhood and Unsafe Structures Codes.

- In contrast, the current economic crisis has contributed to and increased number of Building Code and Neighborhood Code violations and complaints. Further, compliance takes longer and the department's is less able to recuperate enforcement costs through the collection of bills, tickets and liens.

- The result of labor negotiations of salary and benefits is critical to establish the department's future strategies and goals. The delayed implementation of the proposed salary and benefit reductions will result in further staff reduction with negative impact to services.

- Maintenance and improvement of existing technologies and realignment of policies and priorities are some of the strategies the department is pursuing to maximize staff effectiveness in providing services. Lack of funding to maintain and upgrade technologies or inability to change policies and legislation will negatively impact the services.

- A severe weather event affecting a large area of the Unincorporated County or economic measures to boost the economy may result in a sudden increase of permitting service demand. In such a situation the Department may need to implement aggressive recruitment measures to secure the necessary staff promptly.

Attachment 1

DEPARTMENTAL PROFILE

Department Description

The Building and Neighborhood Compliance Department provides building permit services and enforces codes governing new construction, maintenance and alteration of existing buildings, unsafe structures and neighborhood regulations within the area of unincorporated Miami-Dade County.

Building and Neighborhood Compliance Department major duties and responsibilities

- Review and process construction permit applications. Route applications to other County departments involved in the permit process.
- Perform plan review of construction documents to ensure compliance with the Florida Building Code and all other applicable codes and regulations.
- Issue building permits and maintain records of construction documents.
- Collect and distribute permit fees for all departments involved in the permitting process.
- Receive and process inspection requests.
- Perform inspection of active permits to ensure compliance with the Florida Building Code and all other applicable codes and regulations.
- Issue permanent and temporary certificates of occupancy and completion.
- Issue recertification of 40-year-old buildings and boilers.
- Receive and process complaints related to building and neighborhood code violations and unsafe structures.
- Remediate certain type of violations when property owner fails to correct
- Maintain registry of foreclosed real property

Significant events that continue to impact the Department's purpose or mission

- Continued deterioration of the economy (less resources and more violations)
- Continued decline of the construction activity since FY 2006-07 (permit activity decline)
- Enforcement action associated to permits that expire without being finalized. There are approximately 136,929 permits that have expired and lack mandatory inspections. The number of expired permits continues to demand that the Department spend substantial resources to correct and prevent this type of violation.
- Over the past years, the Department has been the subject of several Grand Jury Investigations. Recommendations from the Grand Jury have significantly impacted departmental operations, including:
    - Limiting daily inspection workloads
    - Reorganization and restructure of the department

  - Changes in security relating to technology and public access to inspectors/plan examiners
  - Significant permitting process changes
  - Increase in the type and number of mandatory inspections

- Future incorporations and annexations could have a major impact on the Department's permit functions. There are a couple of extremely important factors, which will influence the timing of the impact on the Department. The effect of an annexation is immediate versus incorporation, which has a delayed effect on activities within the Department. Under the terms of the executed master inter-local agreements, newly created municipalities are not required to establish their own building departments immediately. As such, the Department continues to provide all permitting services at the same level as prior to incorporation. Additionally, after a transition date has been established for the new building department to assume all permitting and enforcement functions, the Department continues to perform plan reviews and inspections related to building permits for applications received prior to the transition date.

- As new construction codes become effective, the Department must maintain the ability to continue to enforce all previous code editions that apply to active permit applications and active permits that were secured under those previous requirements. The overlapping period extends for years demanding from our staff the simultaneous enforcement of multiple sets of rules. The department continues to work on active permits that were secured under the 1994 edition of the South Florida Building Code (SFBC), the 2001 and 2004 editions of the Florida Building Code (FBC), while the currently adopted Code is the 2007 edition of the FBC adopted in 2009. In response to every code change the department must invest time and resources in staff training, systems modifications and update of publications and review and inspection tools. The construction industry and design professionals must also go through the learning process and update their design tools (e.g. design software). The learning process extends months beyond the adoption date of the code. The period of adjustment to the new code is marked by an increase in the rate of plan review and inspection rejections by the Department.

- The volume of permits issued by the Department under the provisions of F.S. 553.791 (private provider) had minor impact in the plan review and inspection functions of the Building Department during FY 2007-08 (less than 1% of the overall permitting activity). However, there has been a noticeable increase in the amount of private providers who are currently registered to provide these services.

Innovative programs and initiatives

- Electronic Concurrent Plan Processing (CPP). Roofing permit application and plans for minor projects are accepted in digital format or accepted in paper format and converted to digital format for review. Plans are sent electronically and concurrently to all departments and/or disciplines that are required to review and approve the plans. Permit fees can be paid via the Department's website and the job copy printed, saving the applicant a visit to the Building Department.

- The Department programs directed to increase public awareness of construction regulations. A minimum of 12 workshops are offered throughout the year to designed professional and builders. Individuals in attendance become familiar with the Code changes, sustainability and neighborhood topics and receive continuing education hours. The Department also administers "Professional Mondays" in which design professionals can meet with departmental reviewers in order to review plan rejection notes and comments. Industry participation is essential in the success of these programs.

Table of Organization

OFFICE OF THE DIRECTOR

* Formulates departmental policy provides overall direction for Departmental operations, serves as Building Official for Miami-Dade County and enforces the Florida Building Code (FBC) and other regulations applicable to construction and maintenance of buildings

Adopted FY 2008-09	Base FY 2009-10
3	3

Administrative Services

* Provides administrative support including the preparation and monitoring of the operating budget; manages liens, billing, collection and disbursement of revenue, procurement and consultant contracts

Adopted FY 2008-09	Base FY 2009-10
25	37

INFORMATION AND PERMIT SUPPORT

* Receives and processes construction permit applications, inspection requests and results, and Certificates of Occupancy; directs computer services, communication and public information

Adopted FY 2008-09	Base FY 2009-10
54	53

PERMITTING

* Ensures compliance with the FBC and other applicable regulations through review of plans, inspection of construction, and enforcement activities

Adopted FY 2008-09	Base FY 2009-10
128	92

UNSAFE STRUCTURES / ENFORCEMENT

* Directs, issues and processes FBC and unsafe structures violations, internal investigations, quality control, personnel, labor management and affirmative action and enforcement activities

Adopted FY 2008-09	Base FY 2009-10
24	22

NEIGHBORHOOD COMPLIANCE

* Provides residential and commercial code enforcement; provides resident education and voluntary compliance, including nuisance abatement, zoning violations and other maintenance regulations to enhance the safety and aesthetics of the community

Adopted FY 2008-09	Base FY 2009-10
0	72

Financial Summary

(dollars in thousands)	Actual FY 07-08	Budget FY 08-09	Adopted FY 09-10
Revenue Summary			
General Fund UMSA	0	0	5,376
Interagency Transfers	0	0	662
Building Administrative Fees	346	309	303
Carryover	8,503	10	0
Code Fines / Lien Collections	0	0	3,910
Interest Income	156	0	0
Intradepartmental Transfers	-219	0	0
Permitting Trades Fees	20,615	24,692	20,555
Unsafe Structure Collections	1,937	2,553	1,949
Transfer from Capital Outlay Reserve	1,150	1,150	1,150
Total Revenues	32,488	28,714	33,905
Operating Expenditures Summary			
Salary	19,404	17,157	18,085
Fringe Benefits	5,921	5,460	5,551
Other Operating	6,889	5,987	6,976
Capital	17	0	3
Total Operating Expenditures	32,231	28,604	30,615
Non-Operating Expenditures Summary			
Reserve	6	110	3,290
Total Non-Operating Expenditures	6	110	3,290

(dollars in thousands) Expenditure By Program	Total Funding Budget FY 08-09	Total Funding Adopted FY 09-10	Total Positions Budget FY 08-09	Total Positions Adopted FY 09-10
Strategic Area: Neighborhood and Unincorporated Area Municipal Services				
Administrative Services	4,469	4,784	28	29
Code Enforcement	0	8,040	0	88
Information and Permit Support	5,383	4,522	64	50
Permitting	16,127	11,204	128	92
Unsafe Structures Enforcement	2,625	2,065	24	20
Total Operating Expenditures	28,604	30,615	234	279

Capital Budget Summary

CAPITAL BUDGET SUMMARY

(dollars in thousands)	PRIOR	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FUTURE	TOTAL
Revenue									
Capital Outlay Reserve	0	1,460	0	0	0	0	0	0	1,460
Total:	0	1,460	0	0	0	0	0	0	1,460
Expenditures									
Strategic Area: Neighborhood And Unincorporated Area Municipal Services									
Nuisance Control	0	1,460	0	0	0	0	0	0	1,460
Total:	0	1,460	0	0	0	0	0	0	1,460

Current Business Environment

Customers Served

Customers related to permitting services are contractors, design professionals and/or plan expeditors in a great majority. Less than 10% of the customers utilizing permit services are owner builders. This percentage however, is much larger than in previous years and this may be the result of more owners doing minor improvements and/or correcting violations without the assistance of contractors due to the economic downturn. Building enforcement customers are contractors and property owners, Neighborhood Compliance enforcement customers are property owners.

Geographical Areas Served

The Department currently provides permit and enforcement services to the Unincorporated Municipal Service Area (UMSA) in Miami-Dade County and the City of West Miami. The Department provides minimum housing enforcement services for the City of Miami.

List of Competitors

A) Permitting Services by Private Providers

Prior to March 1, 2002, the Department relied only upon its own staff for the issuance of building permits. With the adoption of the Florida Building Code on March 1, 2002, permits by affidavit became an available option, which provides for the issuance of permits relying upon a sworn affidavit from a registered professional. On October 1, 2002, a state law introduced permitting services by private providers, which reaffirmed the issuance of building permits based upon the performance of plan review and inspections by private licensed professionals.

The volume of permits issued by the Department using the private providers' option represents less than 1% of the overall permitting activity, resulting in no impact to the required staffing levels.

B) Incorporation and Annexation

Since 2000 more than 59 square miles of land has been transferred from the unincorporated municipal service area (UMSA) to municipal jurisdiction through incorporation or annexation. However, in FY 2006-07 it is estimated that a decrease of about 10% of the permit activity is the result of incorporation and annexation.

C) Decrease in Construction Activity and Economic Environment Deterioration

Starting in FY 2006-07 the decline in construction activity has been impacting the operation of the Building Department. In FY 2008-09 the Department issued 40,910 permits which represented a 55% decrease over the ten-year average preceding FY 2008-09. As a result of the reduced service demand, the Department has reduced staff dedicated to permit activity and its fleet. The Department continues to closely monitor the construction activity for further adjustments as needed.

The deterioration of the economic environment led to drastic budget reductions including the reduction of enforcement funding. Accordingly, the department has reduced enforcement staff and fleet; enforcement priorities are being re-aligned; enforcement duties are being combined and re-assigned; processes streamlined and staff efficiency improved by means of technology to minimize service impact. However, further funding and staff reduction are expected to have serious impact to the department's ability to respond to complaints and enforce the applicable Codes.