DIVISION OF INSPECTOR GENERAL
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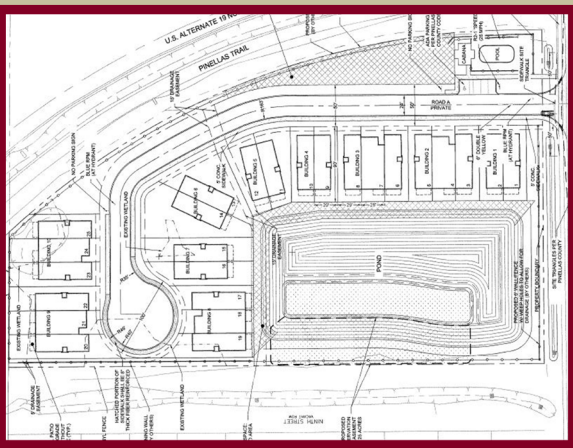
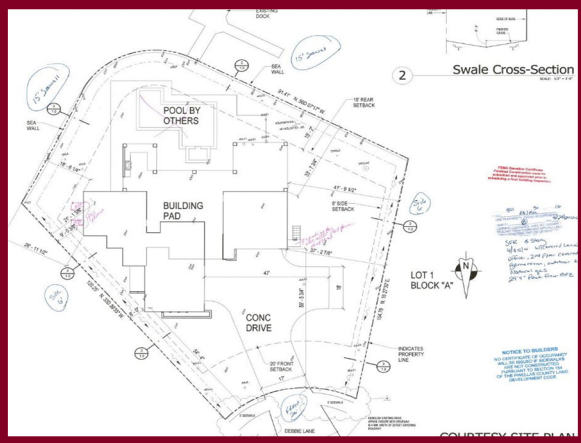
Pinellas County, Florida

AUDIT OF BUILDING & DEVELOPMENT REVIEW SERVICES – PHASE II





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FEBRUARY 16, 2021

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February 16, 2021

Blake Lyon, Department Director

We have conducted an audit of the Building & Development Review Services Department based on our annual risk assessment and a request from the Board of County Commissioners.

The scope of the audit included reviewing permit and inspection processes, as well as enforcement of building violations, accounting practices, and employee retention within the inspection function. We issued an interim report, Phase I – Building Code Inspectors, on June 29, 2020, which covered employee retention within the inspection function. This report covers the remaining scope areas.

Opportunities for Improvement are presented in this report.

We appreciate the cooperation shown by the staff of the Building & Development Review Services Department during the course of this review.

Respectfully Submitted,

Melissa Dondero

Melissa Dondero
Inspector General/Chief Audit Executive

Approved:

Ken Burke CPA*
Clerk of the Circuit Court and Comptroller
Ex Officio County Auditor
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cc: The Honorable Chairman and Members of the Board of County Commissioners
Barry Burton, County Administrator
Tom Almonte, Assistant County Administrator

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INTRODUCTION

Abbreviations

Accela	Accela Civic Platform
BAA	Board of Adjustment and Appeals
BCC	Board of County Commissioners
BDRS	Building & Development Review Services Department
Building	Building Services Department or Building Services
BVD	Building Valuation Data
Code	Land Development Code
County	Pinellas County
COVID-19	2019-nCoV
Department	Building & Development Review Services Department
DRC	Development Review Committee
DRS	Development Review Services Department or Development Review Services
ES1	Environmental Specialist 1
ES2	Environmental Specialist 2
FBC	Florida Building Code
FLSA	Fair Labor Standards Act
FY	Fiscal Year
HCD	Housing & Community Development Department
ICC	International Code Council
Inspector	Building Code Inspector
IRB	Indian Rocks Beach

OFI	Opportunity For Improvement
Oldsmar	City of Oldsmar
OTI	Office of Technology & Innovation
PA	Pinellas County Property Appraiser
PW	Public Works Department
ROW	Right-of-Way Utilization
SOP	Standard Operating Procedure
USPS	United States Postal Service
Utilities	Utilities Department

Executive Summary

As part of the annual audit plan, we began an audit of the Building Services Department (Building) before it merged with the Development Review Services Department (DRS). At the request of the Board of County Commissioners, we added a DRS audit to the annual audit plan, and when the two departments merged in 2019, we combined the DRS audit with the Building audit. The objectives of the audit were to:

1. Assess general building/development permitting and inspection activities to determine process effectiveness and efficiency.
2. Determine if fees are charged and collected in accordance with approved schedules and if controls over the payments are adequate.
3. Determine if enforcement of building codes through inspections is adequate and timely.
4. Gauge the impact of citations in litigation on employee productivity and labor costs.
5. Determine if accounting and purchasing practices are appropriate and include effective internal controls.
6. Gauge employee turnover to determine root causes and potential solutions.

As noted in the Scope & Methodology section below, objective 6 was captured in the Phase I – Building Code Inspectors audit report, issued on June 29, 2020. Due to the 2019-nCoV (COVID-19) pandemic, and resulting operational changes, we were unable to review physical payment collection, as described in objective 2 above. However, we reviewed the accuracy of fees assessed and paid as part of our permit sample testing.

Except as noted in the report, we determined the permitting and inspection processes were effective and efficient. BDRS management was supportive of its staff and receptive of areas for consideration and improvement. We found all staff encountered to be skilled, knowledgeable, and motivated to improve processes where necessary. Although our audit occurred during the department's transition to Accela Civic Platform (Accela), the new permitting software system, and during COVID-19, staff were always responsive to audit requests and consistently willing to participate as needed in the improvement process. Our report contains 14 opportunities for improvement.

During the audit, we tested a sample of permits with a focus on timeliness. For some permit types, we noted that Permits Plus, the prior permitting software system, did not contain the functionality to track all relevant milestones; therefore, staff kept records outside of Permits Plus. In some cases, the hard copy documentation was not date stamped when received from the applicant; therefore, between the Permits Plus file and the hard copy file, complete timeline information was not always readily available, and in one instance, the exact date an applicant resubmitted plans for review was not known. Not having a complete record may result in the inability to prove compliance with statutory deadlines. Going forward, Accela will contain the required functionality to track all key dates and information for each permit. Management is aware of the issue and is working to train staff on applying date stamps to submissions and document all required information in Accela.

We also noted two areas where permit processing was delayed and worked with management to determine appropriate solutions. The Development Review Services (DRS) Engineering function is understaffed; therefore, site plan review times by the engineers is longer than other reviewing groups. Management is working to reclassify a vacant position in order to add another engineer position. Additionally, DRS has two staff dedicated to processing right-of-way utilization (ROW) permits before sending them to the Public Works Department (PW) for review. PW has less than one full-time equivalent dedicated to ROW application review, which can sometimes cause delays. Management is working to develop criteria by which DRS staff can limit the number of ROW permit applications sent to PW and thereby decrease review times.

BDRS has interlocal agreements with several local cities to provide plans review and inspection services. In all instances except one, the interlocal agreements refer to the County's current adopted fee schedule for fees charged to the cities. The City of Oldsmar interlocal agreement has fees, which are substantially lower than the current County fee schedule for inspections, that were established in 2011. If the interlocal agreement had reflected the County fee schedule in effect during the fiscal year (FY), in FY 2019, the County would have collected additional revenue of $62,289, and in FY 2020, the County would have collected additional revenue of $80,250. For plans review, the fees collected are likely lower than the costs to provide services; however, we did not perform a full cost analysis. Management plans to review and update the interlocal agreement as appropriate.

In order to perform our permit sample testing and review interlocal agreement invoices, we reviewed the County's Building user fee schedule. We noted the complexity of the fee schedule when trying to determine the appropriate fee that should have been charged given a particular permit or type of plans review required. As a result, it is likely difficult for customers to anticipate accurate permit fees. We also noted that, due to the schedule's complexity and prior building official guidance, plans reviewers were subjectively assessing plans review fees for customers. Although the intent was to reduce the fee when less time was needed to complete the review, subjectivity can lead to inconsistent application of fees. In addition, we noted instances where the wrong fee was charged. Although the variances in the incorrectly charged fees and the fee schedule were minor, the fee schedule should be updated to be more clear for both customers and the employees who are responsible for interpreting it. Management plans to simplify the fee schedule.

Background

During the audit, as a result of the 2019-nCoV (COVID-19) pandemic, several of the Building & Development Review Services Department (BDRS or department) processes were temporarily modified. We evaluated the processes in place prior to COVID-19. The department plans to transition back to those processes in the beginning of calendar year 2021. In addition, while BDRS was operating with modified processes during COVID-19, the County transitioned from Permits Plus to Accela Civic Platform (Accela). As a result, when BDRS transitions to pre-COVID-19 operations, some processes will be revised according to Accela functionality.

Some of the processes described below reference Permits Plus; however, where an opportunity for improvement (OFI) is noted, we determined the effect Accela will have on the process, and noted whether it will correct the issue or provide a compensating control.

BDRS is comprised of three divisions:

- Building Services
- Development Review Services
- Code Enforcement

Building Services (Building) maintains its revenues in a special revenue fund in compliance with Florida Statutes, which require local governments to use their revenues for enforcing the Florida Building Code (FBC). This is in contrast to Development Review Services (DRS) and Code Enforcement, which Pinellas County (County) accounts for in the General Fund.

Our audit scope included the Building and DRS Divisions. We previously issued a report of BDRS – Phase I – Building Code Inspectors, which addressed the staffing retention component of the audit. As noted in the Scope and Methodology section, we addressed the remaining audit components in this report. Following is a summary of expenditures and personnel for both Building and DRS.

Expenditures by Program				
Program	**FY 2018 Actual**	**FY 2019 Actual**	**FY 2020 Revised Budget**	**FY 2021 Adopted**
Building Permits	$ 8,959,717	$ 8,031,315	$ 7,665,850	$ 7,040,460
Development Review Services	$ 2,489,391	$ 2,340,210	$ 2,754,130	$ 2,585,200
Total Expenditures by Program	**$11,449,108**	**$10,371,525**	**$ 10,419,980**	**$ 9,625,660**

Personnel Summary by Program and Fund					
Program	**Fund**	**FY 2018 Adopted Budget**	**FY 2019 Adopted Budget**	**FY 2020 Revised Budget**	**FY 2021 Adopted Budget**
Building Permits	Building Services	56.6	56.6	57.1	56.7
Development Review Services	General Fund	24.4	26.2	26.7	26.8
Total Full-Time Equivalent Positions		**81**	**82.8**	**83.8**	**83.5**

BDRS is responsible for evaluating development projects, construction plans, and land development proposals in compliance with relevant building codes and the County's land development code (Code) for properties within the unincorporated areas of the County. BDRS issues permits and performs related inspections for development activity. As part of the permitting process, homeowners and contractors can apply for a permit in the following methods:

- Homeowners
  - In person
- Contractors
  - In person
  - Online

Depending on the type of project, it will move through the development system in various ways. DRS and Building are both typically involved in the review of larger construction projects; however, there are several permits that may be issued solely by DRS or solely by Building. BDRS can issue specific permits to contractors online. These permits either do not require plans review or have plans the County previously reviewed under a master building permit.

For development projects, the County offers preapplication meetings so developers can discuss key aspects of their projects with County staff and begin to anticipate the requirements from each functional area. Participating County staff typically includes representatives from the Housing & Community Development Department (HCD), DRS Administration, DRS Engineering, DRS Environmental, DRS Zoning, Public Works Department (PW), and Utilities Department (Utilities). Depending on the project details, there may also be representatives from the Parks and Preserves Department, Code Enforcement, or the Airport.

The specific steps involved in processing permit applications vary depending on the type of project (commercial or residential) being considered and the scope of work. Prior to COVID-19, when customers visited BDRS to apply for a permit, they were assigned a number and routed through various permit stations until all necessary staff reviewed their permit application. Permit stations included representatives of functions such as Building, DRS Engineering, DRS Environmental, DRS Right-of-way Utilization (ROW), DRS Zoning, flood plain management, HCD Zoning, and Utilities.

BDRS's permit activity for the past three fiscal years is illustrated below:

Fiscal Year	# Permits & Site Plans Processed
2018	36,221
2019	36,787
2020	35,985

During the audit, we documented various permitting processes in process diagrams, which are included throughout the Background section of this report. In some cases, Accela may provide functionality that requires changing processes, which management plans to document in formal procedures as they are developed.

Building

The primary objective of Building is to protect the public's life, health, safety, and welfare as it relates to standard construction practices. Building evaluates development projects and construction plans, and it provides municipal building services through interlocal agreements for the following local communities:

- City of Belleair Beach
- City of Belleair Bluffs
- Town of Belleair Shore
- City of Dunedin
- City of Gulfport
- City of Indian Rocks Beach
- City of Madeira Beach
- City of Oldsmar
- City of Pinellas Park
- City of Safety Harbor
- City of Seminole

The interlocal agreements vary in services provided. The County acts as the building official, issues building permits, and provides plans review and inspection services for the City of Belleair Beach, the City of Belleair Bluffs, the Town of Belleair Shore, and the City of Indian Rocks Beach. The County has a similar agreement with the City of Oldsmar (Oldsmar); however, Oldsmar issues its own permits, and the County performs plans review services onsite at Oldsmar's Building Division office. The other interlocal agreements require the County to provide limited services, such as inspections, plans review, or both.

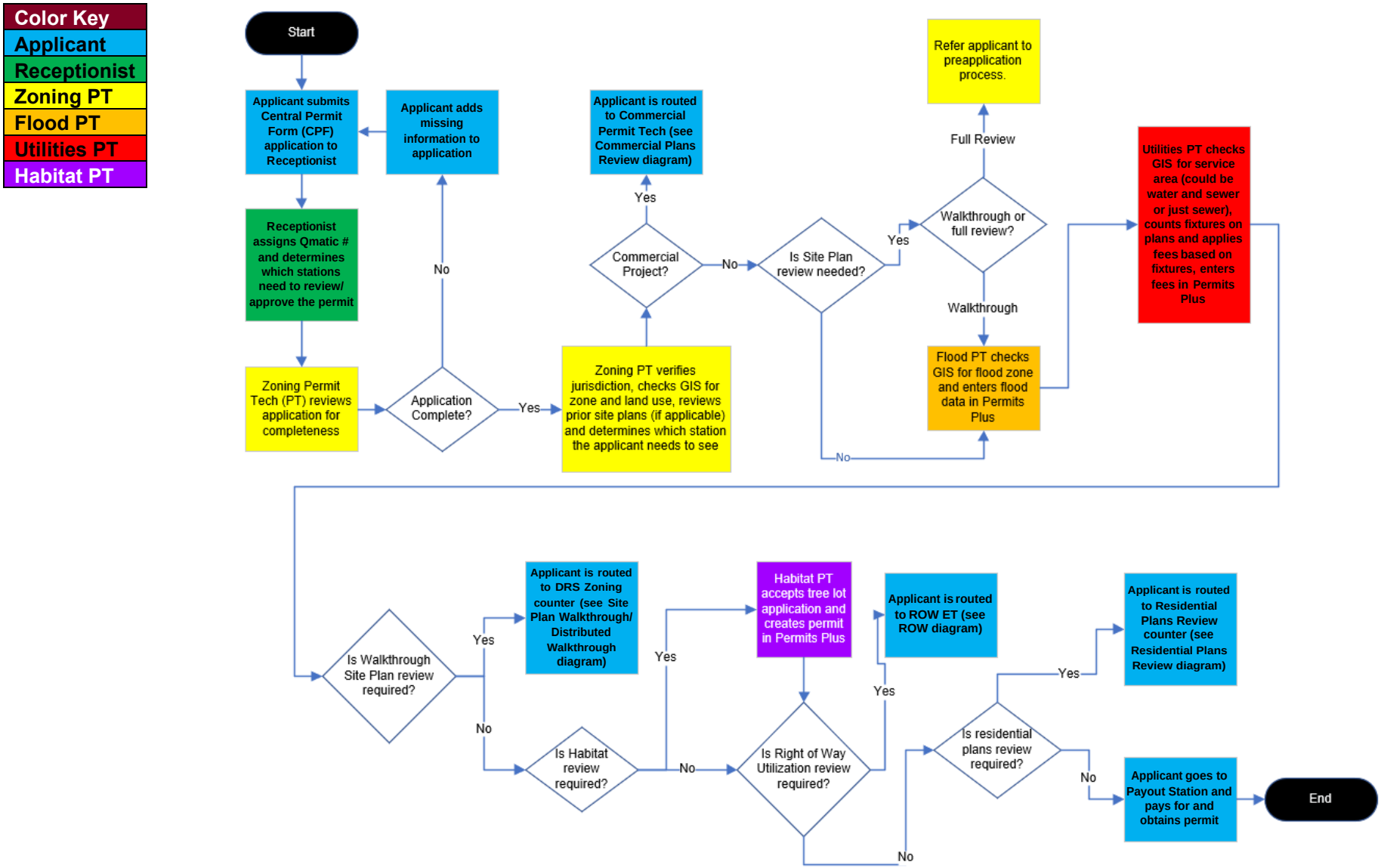
Building staff is responsible for reviewing plans, issuing associated building permits, performing inspections, issuing certificates of completion, issuing certificates of occupancy, and when necessary, pursuing and enforcing code compliance. Building ensures construction plans are in compliance with the National Electrical Code and FBC, the latter of which has the following sections:

- Accessibility
- Building – Commercial
- Building – Residential
- Energy Conservation
- Existing Building
- Fuel Gas
- Mechanical
- Plumbing

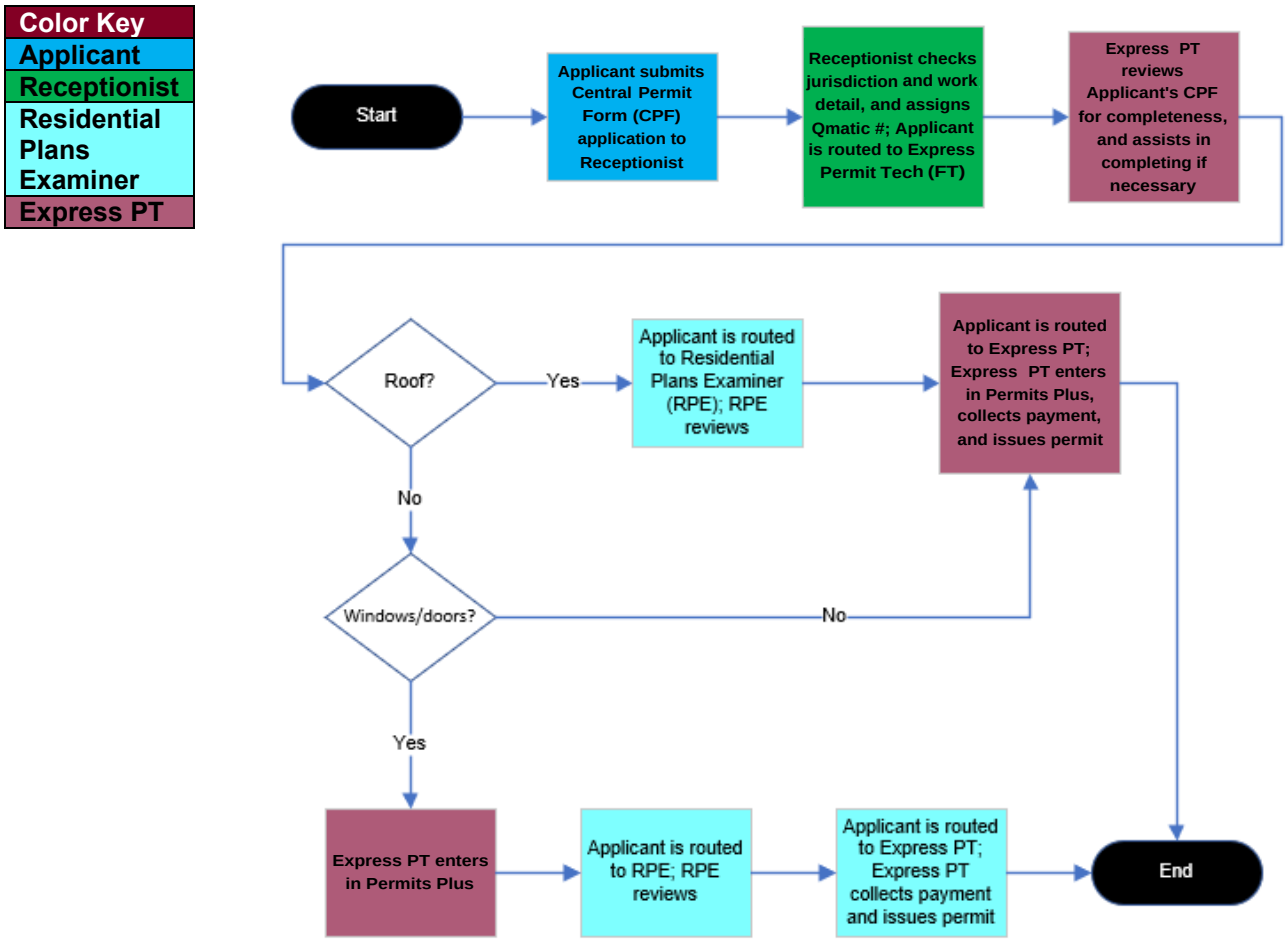
Building Permits

Building issues a wide range of permits, referred to as combination permits for all construction activity within the building, electrical, gas, mechanical, and plumbing trades. This includes large commercial projects such as new construction and smaller projects such as replacing an air conditioning unit. Larger projects require the customer to visit DRS Zoning first, and then be routed through various other stations, as noted under the “Initial Permit Application Review” heading of this report. For smaller projects, an express permit can be issued, as noted under the “Express Permits” heading.

Initial Permit Application Review

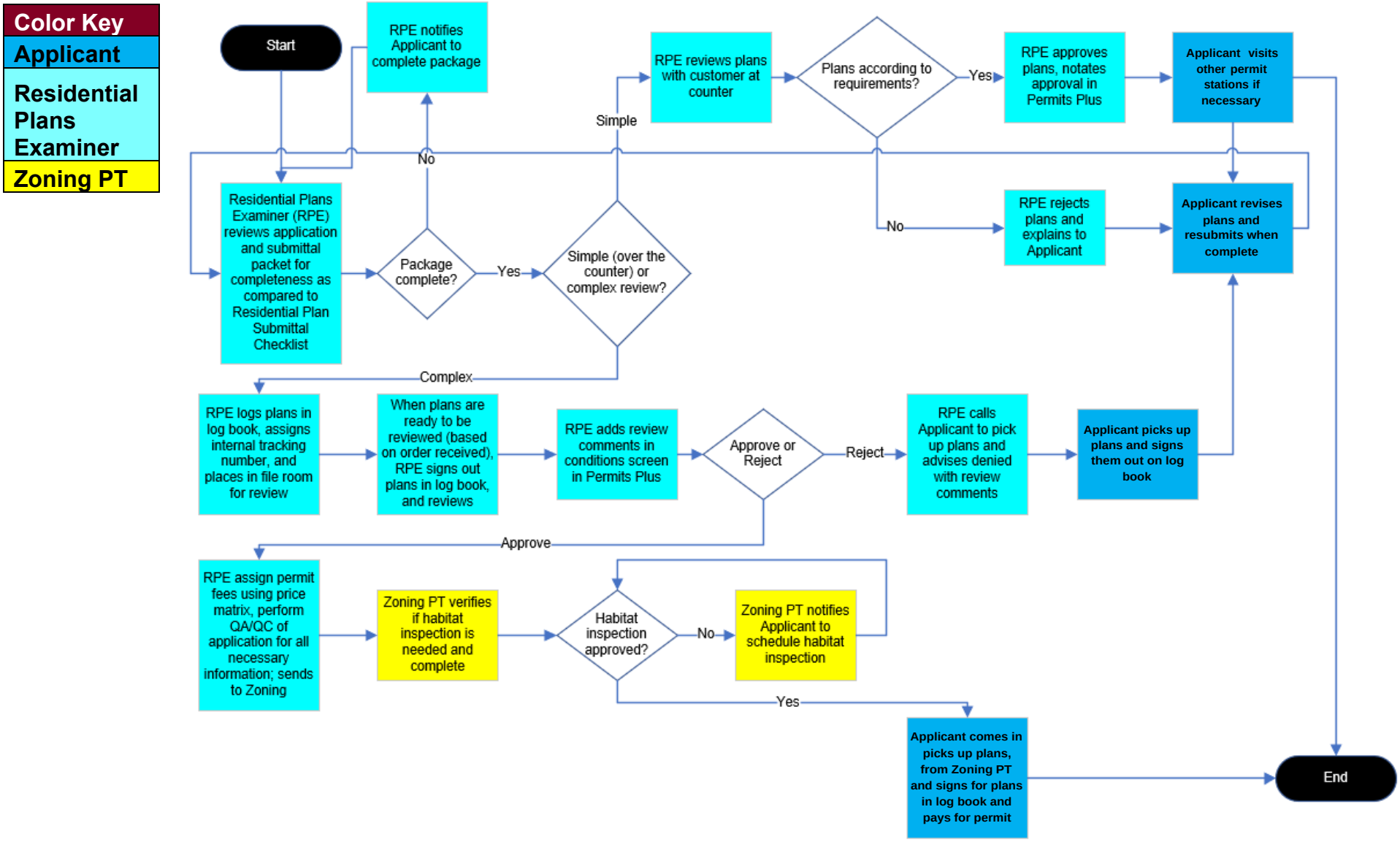


Express Permits

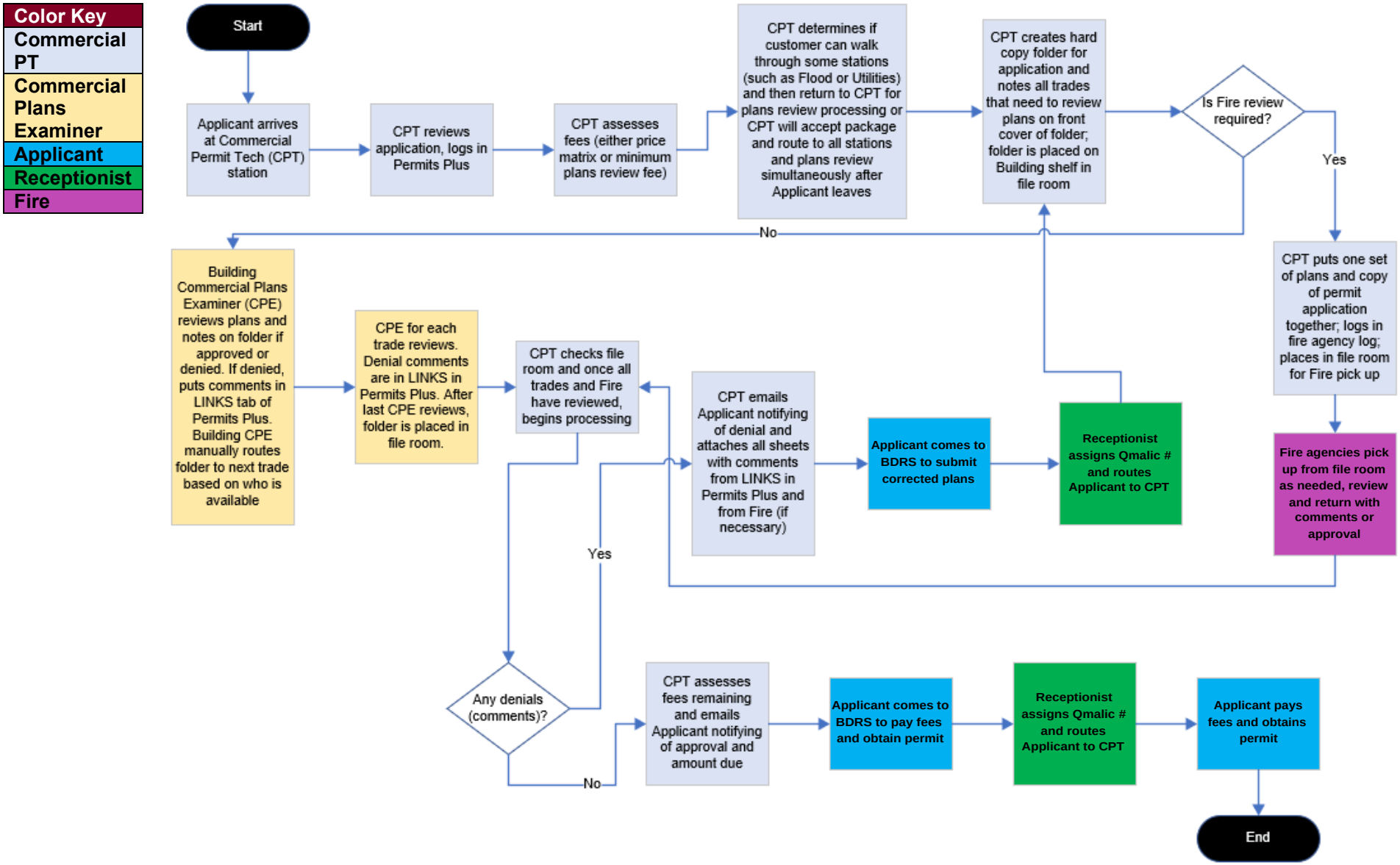


Building has seven building plans examiners who review all residential and commercial plans related to the building trade (structure, accessibility, etc.). Florida Statutes require commercial plans to be reviewed for electrical, plumbing, and mechanical code compliance and residential plans to be reviewed for building code compliance. Building's lead building code inspectors (inspectors) in the electrical, mechanical, and plumbing trades perform commercial plans review in the trade in which they are specialized. After the plans examiners review and approve the plans and Building issues a permit, customers can begin work on their project. There are multiple required inspections at various intervals of a project. Once the final inspection is performed, a certificate of completion or certificate of occupancy is issued.

Residential Plans Review

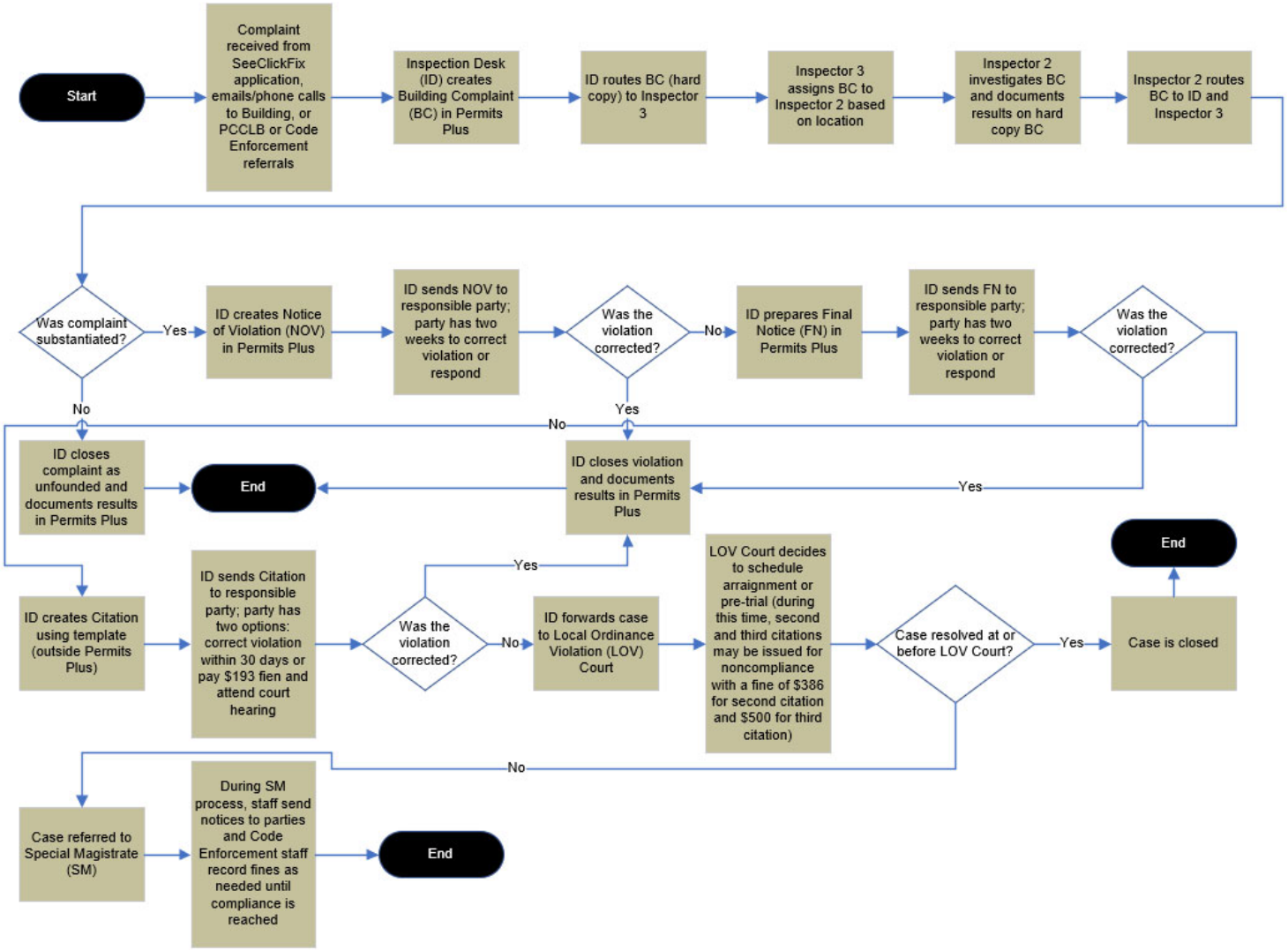


Commercial Plans Review



Building Complaints

When BDRS receives building complaints, the inspection desk staff creates a building complaint in Permits Plus (now in Accela) and BDRS assigns an inspector to investigate. If BDRS substantiates the complaint, the complaint becomes a violation and BDRS follows the process below to process the violation.



DRS

DRS is responsible for applying the County's Code to applications for land development activities and ensuring relevant requirements are met related to site development, zoning, ROW, platting, flood plain management, storm water management, and environmental and natural resource protection. DRS issues permits for site plans, ROW, and habitat (tree removal). Functional areas within DRS review permit applications according to their expertise. This includes zoning, environmental, and engineering.

When reviewing development projects, there are five review types with different decision making authorities, including department staff, the Development Review Committee (DRC), the Board of Adjustment and Appeals (BAA), and the Board of County Commissioners (BCC). Chapter 138 of the Code includes specific types of activity and the associated review required. Chapter 138 also includes the methods by which administrative adjustments, variances, and waivers may be requested and reviewed.

Administrative adjustments and variances are used to lessen or remove certain dimensional standards of the Code, such as lot size, setbacks, building height, parking requirements, landscaping, etc. Administrative adjustments are for deviations from the Code's dimensional standards, which department staff can approve up to 10% and the DRC can approve up to 20%. Variances for deviations greater than 20% from the Code are reviewed in a public hearing by the BAA.

Waivers are approved eliminations of technical standards of the Code, such as requirements to construct sidewalks, the prohibition of adding access to a collector or arterial road, or certain stormwater requirements. Waivers can be approved by department staff, the DRC, or if involving a County ROW, the PW Director.

DRS Engineering

DRS Engineering's core function is to review site plans for all commercial properties and the drainage for single family homes. There are two engineers who perform site plan review, focusing on compliance with the Code and the County's stormwater manual. Engineering also coordinates with PW for its review related to stormwater management for larger floodplains or impacts to the right-of-way.

Engineering reviews full site plans, which can take several weeks, and assists customers who walk through the permitting stations for a simple review. Although walkthrough reviews are faster, they are greater in volume than full site plan reviews.

DRS engineers also participate in 8-10 preapplication meetings per week, which requires research of historical site information. In addition, after construction is complete, Engineering inspects the work to compare the as-built condition with approved plans. This requires frequent communication with applicants and their engineers to discuss discrepancies.

DRS Environmental

The Environmental section within DRS is responsible for site plan review related to landscaping standards and habitat protection, as well as associated field inspections of properties, to ensure

code compliance throughout the construction process. In addition, Environmental processes habitat permits for trees. Environmental specialists (ES1s and ES2s) also perform field inspections in response to citizen complaints and, if substantiated, process the resulting violations.

The Environmental section has two managers, two ES2s, three ES1s, and a DRS specialist. The managers and ES2s are focused primarily on site plan review and associated inspections. ES1s perform inspections related to habitat permits, ensuring trees are eligible to be removed and the habitat is protected during construction. The DRS specialist processes and issues habitat permits.

DRS Regulatory Services

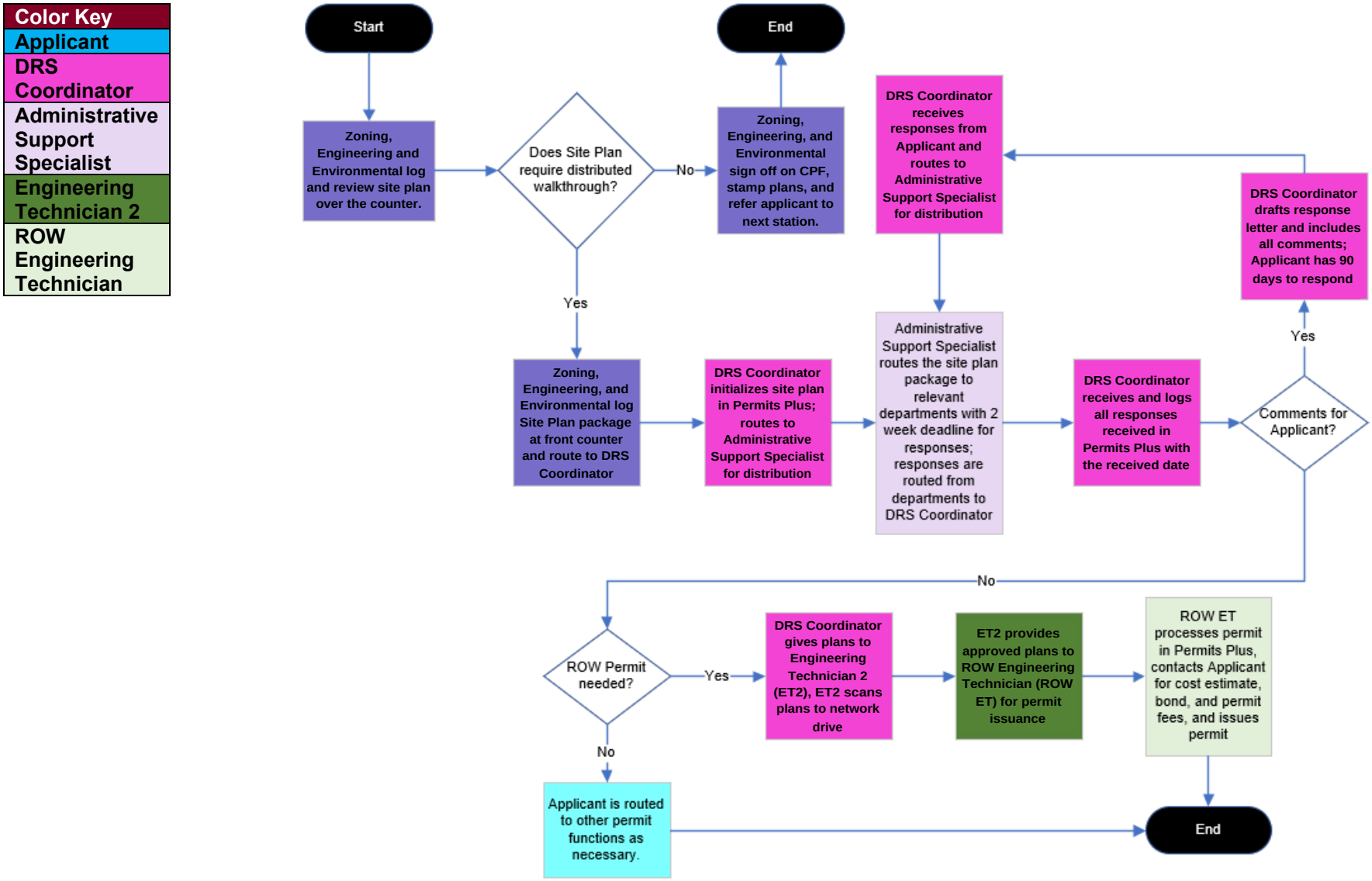
DRS Regulatory Services' primary role is processing the subdivision of a parcel, a process known as platting. Platting occurs when a customer is developing a property and wishes to subdivide the land into three or more lots. The platting process results in a Type 5 application and requires BCC approval. The customer submits a site plan to DRS, and the platting process begins during the site plan review process. Regulatory Services is responsible for managing the platting review and coordinating with multiple departments before obtaining BCC approval.

Site Plans

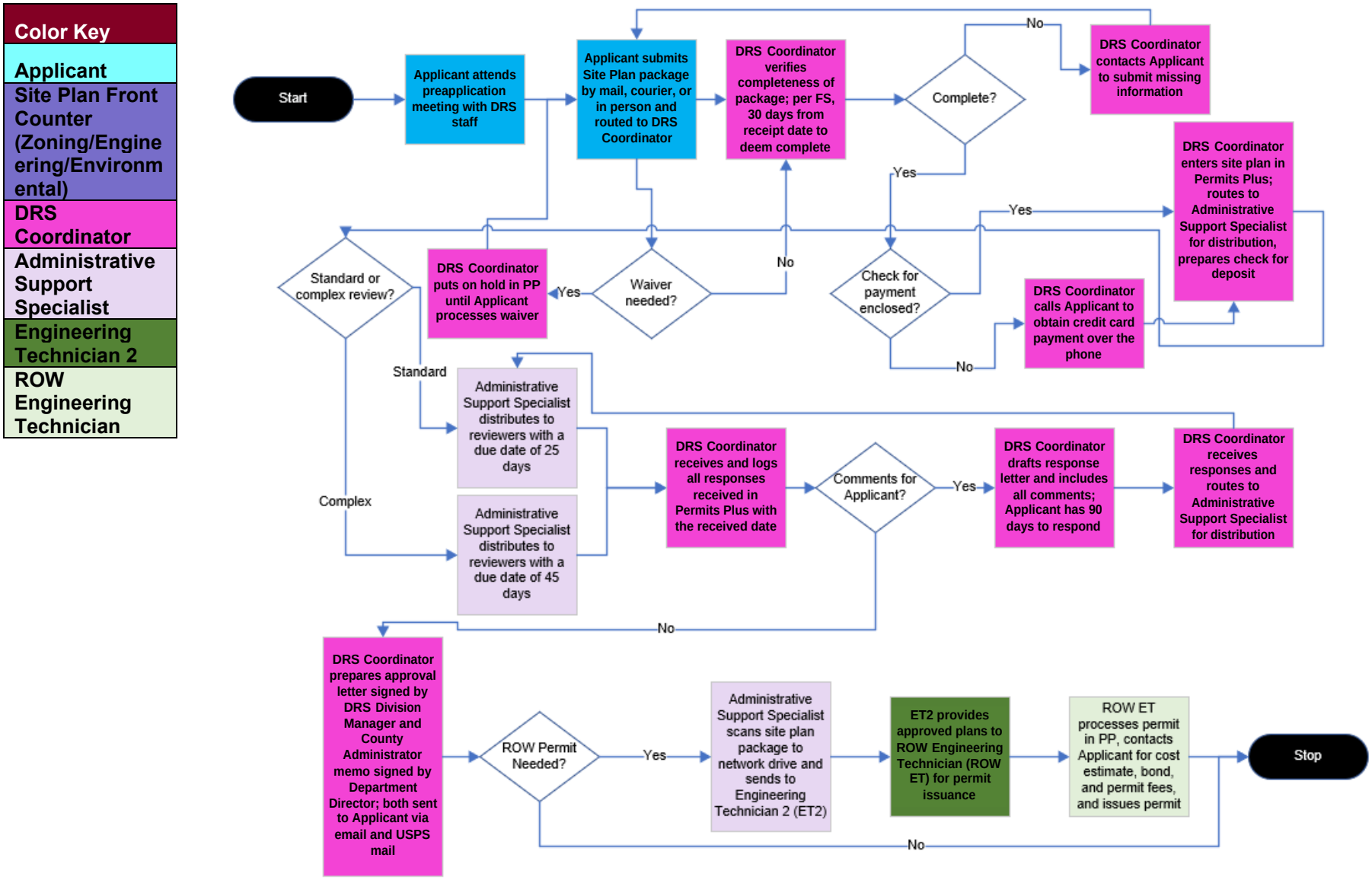
The site plan review process can take one of three routes: walkthrough, distributed walkthrough, or full site plan review (as documented on process diagrams on the following two pages). DRS coordinates with other County departments as needed. For example, PW reviews site plans in accordance with the County's stormwater manual and transportation design manual, and HCD Zoning reviews site plans for zoning and land use projects.

The walkthrough site plan process can be used when there is a minor change to an approved site plan. The customer can address the change in person during their visit to BDRS. A distributed walkthrough or full site plan review is used when BDRS and other departments need to review the site plan, but the review is expected to take approximately two weeks (distributed walkthrough), 25 days (simple full site plan review), or 45 days (complex full site plan review) for each review cycle. For distributed walkthrough or full site plan reviews, the customer submits the site plan to BDRS, and BDRS coordinates the review with the other departments.

Site Plan Walkthrough/Distributed Walkthrough

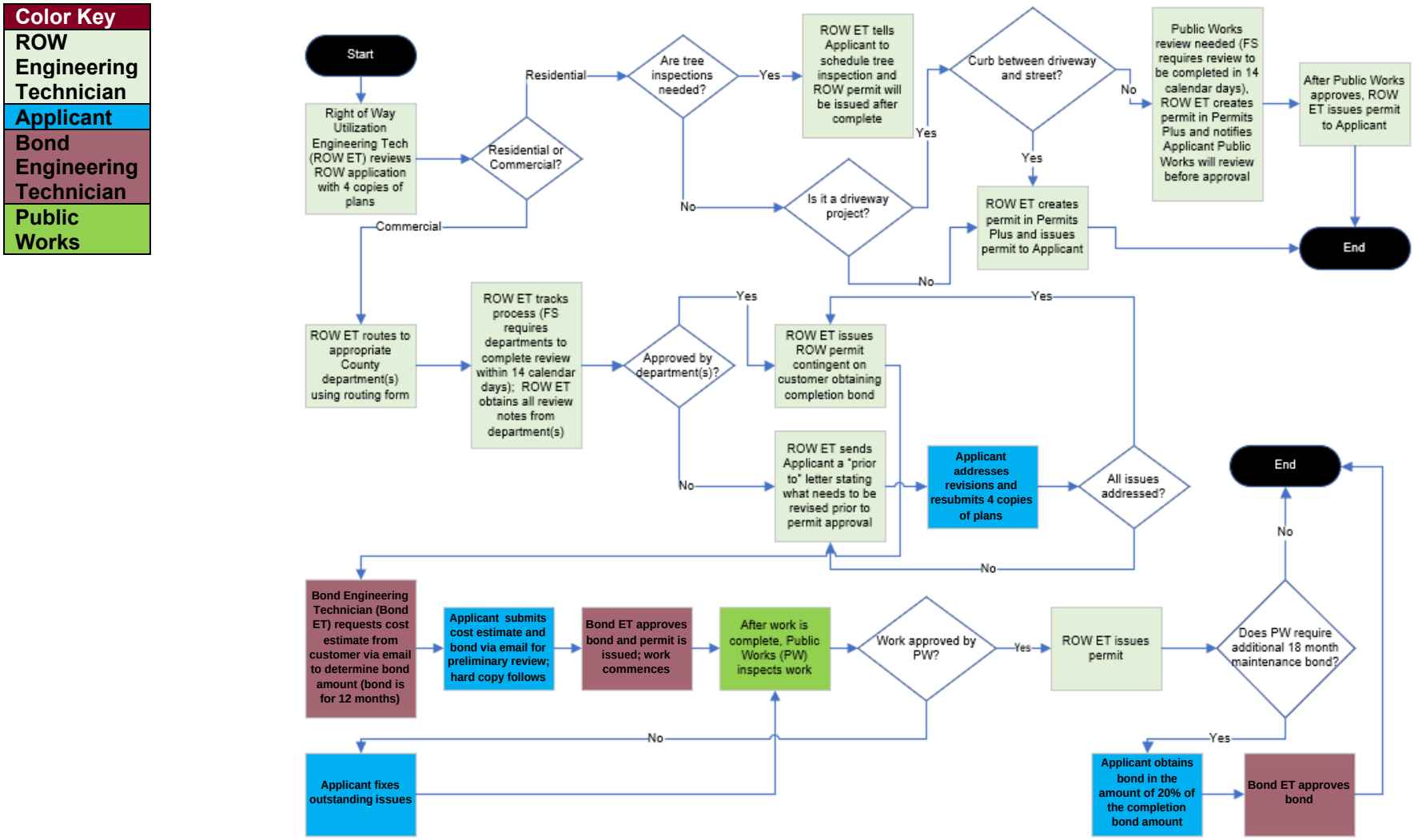


Full Site Plan Review



Right-of-Way Utilization Permits

ROW permit applications that are received as part of a site plan review are reviewed through the site plan process as noted in the process diagram on the preceding page. DRS also receives other types of ROW permit applications, and two ROW staff process the applications in coordination with PW, as documented in the process diagram below.



Development Services System Consultation

In 2019, BDRS engaged with a consultant to review the development services system and provide recommendations for process improvements. The consultant has worked closely with BDRS management, County administration, and other County departments to develop related recommendations. Throughout the audit, the consultant and the IG coordinated their efforts as needed.

The consultant recommended several regulation improvements and system improvements. The most substantial system recommendation included implementing a project-oriented pilot program which would assign a County project manager/point of contact for each project submittal. The intent was to streamline processes and communication with the customer. The consultant provided the following recommendations for the development services system in July and October 2020:

- Define a project-oriented system operational design
- Develop a piloting program to test the project-oriented design concepts
- Adopt a "customer sits in one chair" philosophy
- Define a project tailoring strategy to account for differing customer knowledge and project complexity
- Establish a project management culture by utilizing a project manager and/or point of contact for coordination to improve processing predictability and accountability
- Draft a standardized issue resolution process to improve decision-making
- Develop a training and orientation plan for internal staff and external customers
- Create a publication strategy to support the project-oriented system
- Evaluate ways to automate key records, such as historic site plans and building permit records
- Design and consolidate current web information supportive of the project-oriented approach
- Evaluate ways to refine the current permit center space to support the project-oriented system design, including:
    - Office space for project managers/points of contact and team members as defined by the system
    - Additional space for a customer self-help area, including publications, work area, etc.
    - Additional public small and medium sized conference rooms adjacent to staff for ad hoc early assistance, project manager, or project team meetings
    - Additional space to integrate the first floor customer service unit into operations on the third floor
- Establish a system-wide performance measurement program based upon the customer desired outcomes
- Evaluate additional funding mechanisms to support the adopted performance measurement program
- Develop a change management strategy to transition to an improved system efficiently and effectively
- Regulation change communication and impact strategy, including:
    - Need for new forms or publications

  - Number of staff needed to implement
  - Timeline lines, shorter or longer
  - Submittal requirements or costs for customer
  - Fee changes
- Move Real Estate Management vacation coordination to BDRS

As of this report date, the consultant is working with BDRS management to develop and design the project-oriented pilot program. Management is working to obtain classifications for project manager roles within the County that will serve to implement the project-oriented recommendations above. The project managers will serve as a point of contact for customers and communicate with all reviewing functions to ensure efficient and effective project coordination and communication with customers.

Sample Testing/Complaints

We performed sample testing as part of the audit. Part of the testing included verifying if permit applications were reviewed within statutory timeframes, or within a reasonable timeframe if no requirements existed on the application date. During the audit, we also received complaints about specific projects taking an extended amount of time. We included these projects in our sample for testing. Although we did not note any issues related to timeliness, we did note an OFI related to the need for additional staff in the engineering function, as this function takes a longer time to perform reviews due to limited staff. See OFI #2 for details.

SCOPE AND METHODOLOGY

We have conducted an audit of BDRS. In 2020, we issued a report, Audit of Building & Development Review Services – Phase I – Building Code Inspectors (Report #2020-10, published June 29, 2020), which addressed the staffing retention component of the audit. In this report, we have addressed the remaining components, with the exception of one area, which we could not include due to COVID-19. This report covers the following:

- The permitting and inspection process
- The impact of building enforcement court appearances on staff productivity and overall department operations
- Accounting and purchasing practices

We excluded the permit fee collection component of the audit because during our testing period, the department temporarily discontinued physical fee collection.

The audit period was July 1, 2019 – October 31, 2020.

During the audit, we performed the following:

- Interviewed staff and management to obtain an understanding of the permitting and inspection processes, accounting and purchasing practices, and the building enforcement function.
- Reviewed policies and procedures, Florida Statutes, FBC, County Code, interlocal agreements, and other records as needed.
- Reviewed permit records for approval timeline and communication with customers.
- Reviewed the enforcement process and building complaint records.
- Reviewed processes related to interlocal agreements the County has with local municipalities for building services.
- Reviewed processes related to the assignment and/or change of physical addresses within unincorporated areas of the County.

OBJECTIVES AND OUTCOMES

The objectives of the audit were to:

1. Assess general building/development permitting and inspection activities to determine process effectiveness and efficiency.
2. Determine if fees were charged and collected in accordance with approved schedules and controls over the payments were adequate.
3. Determine if enforcement of building codes through inspections was adequate and timely.
4. Gauge the impact of citations in litigation on employee productivity and labor costs.
5. Determine if accounting and purchasing practices were appropriate and included effective internal controls.
6. Gauge employee turnover to determine root causes and potential solutions.

As a result of the audit, we determined:

1. Building and development permitting and inspection processes were generally effective and efficient. We noted two areas where timeliness could be improved:
    a. Additional engineering staff was needed to decrease site plan review times.
    b. Criteria needed to be established for staff to use when determining which ROW permits to send to PW for review.
2. Based on sample testing, we noted fees were generally charged and collected in accordance with approved schedules. Due to COVID-19, we were unable to test the controls over physical payments, as customers could not make payments in person during the audit testing period.
3. BDRS provided timely inspections, always within 24 hours of being requested.
4. BDRS management worked with the County Attorney's Office to lessen the impact of litigation on employee productivity prior to our testing period.
5. BDRS's accounting and purchasing practices were generally appropriate and included effective internal controls. We noted the accountant was not always compensated for travel to the bank to make daily deposits; however, as soon as we notified management, management took steps to ensure the accountant would be compensated for time worked.
6. This objective was covered in the Phase I – Building Code Inspectors report.

Our audit was conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing* and the *Principles and Standards for Offices of Inspector General* and accordingly, included such tests of records and other auditing procedures, as we considered necessary in the circumstances.

OPPORTUNITIES FOR IMPROVEMENT

Our audit disclosed certain policies, procedures, and practices that could be improved. Our audit was neither designed nor intended to be a detailed study of every relevant system, procedure, or transaction. Accordingly, the Opportunities for Improvement presented in this report may not be all-inclusive of areas where improvement may be needed.

1. Records In Permits Plus Are Not Always Complete.

During our review of a sample of permits and site plans, we reviewed Permits Plus records and, when necessary, the corresponding hard copy files. Although all development activity has a Permits Plus record and a separate hard copy file, we noted relevant timeline information for site plans and plats have not been effectively tracked in Permits Plus.

Site Plans

When a site plan is submitted for review, DRS staff enters the site plan in Permits Plus and begins processing it by distributing copies of the site plan to all departments and divisions from which review is required. After all reviewing parties have completed their review, they provide a response to the DRS coordinator, which is either an approval of the site plan or comments that need to be addressed before they can approve the site plan. Regular reviewing parties are various functional areas within BDRS, HCD, PW, Utilities, and local fire districts. The DRS coordinator enters the dates reviewing parties responded in Permits Plus and indicates if the review resulted in an approval or not.

The DRS coordinator then provides all comments and/or approvals to the applicant. Per Code Section 138.180, the applicant has 90 days to resubmit their site plans. Upon resubmission, staff enters the receipt of revised site plans in Permits Plus. However, sometimes there are several resubmissions and not enough fields in Permits Plus to capture the dates, so the older dates are overwritten.

In 2019, House Bill 7103 amended Section 125.022, Florida Statutes, which imposed timeframes for site plan review:

> *"Within 30 days after receiving an application for approval of a development permit or development order, a county must review the application for completeness and issue a letter indicating that all required information is submitted or specifying with particularity any areas that are deficient. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information. Within 120 days after the county has deemed the application complete, or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing, the county must approve, approve with*

> *conditions, or deny the application for a development permit or development order. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance."*

This means all reviews and resubmittals must result in an approval, a conditional approval, or a denial within 120 days of the application package being deemed complete by DRS. If the 120-day deadline is approaching and the applicant has review comments to address, DRS staff will request the applicant submit an extension request. Due to the new statutory requirements, DRS staff began tracking site plans outside of Permits Plus. While this practice is useful to staff and compensates for Permits Plus system weaknesses, there should be one system of record going forward that staff can rely on with confidence. Accela was implemented in October 2020 and has the capability to track all relevant dates in chronological order within workflows.

As noted in the background, all site plans in our sample that were initiated after House Bill 7103 was passed met the required deadlines. However, there was an instance where the date an applicant resubmitted their site plan could not be determined and was narrowed down to one of two days. This was in part because submissions were not always date stamped and in part because of Permits Plus system constraints. Using Accela to capture complete site plan information will allow the department to ensure it is meeting requirements and is able to respond to inquiries with accurate information as needed. All submissions should be date stamped and the same date recorded in Accela to complete the permit record.

<u>Plats</u>
Platting is required when a customer is developing a property and wishes to subdivide the land into three or more lots. The customer submits a site plan to DRS, and the platting process begins during the site plan review process. When the plat is submitted, DRS Regulatory Services staff enters it into Permits Plus. Staff also creates a hard copy file to hold all hard copy documents received. Staff notates the outside of the hard copy file with the plat information as well as the date items were received and what was received. Staff uses the hard copy file to track all receipts rather than using Permits Plus.

Regulatory Services staff distributes the plat to other departments/sections that are required to review the plat. This includes DRS Zoning, DRS Engineering, DRS Environmental, PW Survey and Mapping Division, and Utilities. All reviewing parties provide comments, and Regulatory Services staff provides all comments to the applicant. Revised plat submittals are received and reviewed until acceptable and ready to be submitted to the BCC. After the platting process is complete, the County's Property Appraiser (PA) issues parcel identification numbers (parcel IDs), and the lots are recorded with the Clerk. After the BCC approves the plat, the plat book and page number is entered into Permits Plus and noted on the hard copy file.

We reviewed one plat as part of our sample and noted tracking the resubmissions on the hard copy file was not as effective as maintaining all activity in the electronic file. Staff plans to use Accela's functionality to track all relevant dates, which will allow for more effective record keeping.

Maintaining accurate records is an essential business practice. Data should be available and reliable for the department's operational needs and for the public to access when necessary. Given that there are statutorily required timeframes for completing site plan review, it is imperative that all relevant timelines are stored in the system of record.

Permits Plus's capabilities sometimes limited staff's ability to maintain complete information within the system. For example, when staff entered a received date in Permits Plus, Permits Plus sometimes had to overwrite a prior date that was entered. In other cases, since processes changed over time after Permits Plus was implemented and Permits Plus was highly customized, there were no relevant fields available to capture certain required information consistently. This resulted in staff developing alternative methods for capturing the necessary data.

An incomplete permit record in the permit system may result in the inability to prove compliance with statutory deadlines. In addition, it may cause staff to spend additional time researching when looking into a permit record.

We Recommend Management:

A. Ensure all documents submitted for review are date stamped when received.

B. Ensure staff enters all relevant dates into Accela for site plans and plats, including submissions, resubmissions, and departmental reviews.

Management Response:

A. Management Concurs. For site plans, this is a procedural requirement and an expectation of our staff. Due to COVID we have had to modify the intake process to accommodate for dropoff submittals. The staff attending the first floor drop off station logs the plans and applications when received, then routes the plans to the third floor to be initialized into the Accela system. The department will ensure that all plans received are date-stamped and that new staff is trained accordingly. For plats, this is a requirement and expectation of our staff. Staff will ensure that all plats received are date-stamped.

B. Management Concurs. With the implementation of Accela, the program has been configured to allow for multiple dates to be entered. The system will no longer override the previous dates as was the case in Permits Plus.

2. The DRS Engineering Function Is Understaffed.

During our permit sample testing, we reviewed six site plans. We documented the timeline for each site plan, including the initial receipt date, the date each functional group completed its review, when BDRS provided comments to the applicant, and when the applicant resubmitted their site plans in response to comments provided. We documented the timeline for all review

cycles (our sample had site plans that ranged from one to five review cycles). We calculated the average review time for each functional unit and noted DRS Engineering and Environmental groups had the longest review times (averages of 41 and 30 days, respectively). Prior to our testing, management indicated these two groups had separate and unique challenges that resulted in longer review times.

The Environmental group has several new staff that rely on their supervisors to guide their decision-making. In time, as the newer staff are trained and become more experienced and autonomous, review times should improve. The Engineering group consists of two engineers. One of the engineers has been a key Accela implementation team member, and the other is a manager with additional duties. Management has recognized that additional engineering staff is needed to decrease review times.

Maintaining appropriate staffing levels in order to timely meet customer needs is a primary concern for management. As development in the County has increased, engineering staff has not increased proportionately. Without supplementing the engineering function with additional staff, review times will continue to suffer, causing delays in overall site plan processing. Management has started the process of reclassifying a current vacancy into an engineer position to assist in site plan review.

We Recommend Management:

Add an additional engineer position to the engineering function.

Management Response:

Management Concurs. Internal departmental resources have been shifted from the Environmental team to the Engineer team to allow for one additional engineer reviewer. The first round of interviews has been completed. Once a selection is made the new hire should begin within a month or so.

3. The Right-Of-Way Utilization Permitting Process Is Delayed By Multi-Department Reviews.

DRS is responsible for processing ROW permits and coordinating reviews by other departments as needed. PW reviews most permit applications when the subject property is adjacent to a County ROW or easement. PW historically had one staff responsible for the review of ROW permits; however, the position was not solely dedicated to ROW permit reviews and competing priorities sometimes resulted in delays to permit processing.

Chapter 154 of the County Code governs site development, ROW improvements, subdivisions, and platting. Chapter provisions apply to the unincorporated areas of the County and to any

County ROWs within municipal boundaries. Section 154-12 - Construction Phase indicates, “Before construction is authorized to begin, the contractor must have final site plan approval as well as approved permits for all work within the public right-of-way."

ROW permits have substantially increased in recent years as highlighted in the following table.

Fiscal Year	ROW Cases Processed
2016	853
2017	1,025
2018	1,397
2019	1,476
2020	1,608
2021 through 11/30/2020	356

As a result, in 2019, DRS hired a second employee to assist in ROW permit processing. Historically, PW has not employed staff focused solely on ROW permit application reviews. Due to a limited number of staff resources, delays have occurred when processing ROW permits. DRS management has identified the need for criteria addressing how ROW permits are routed to PW for review, which should reduce the number of ROW permits that require PW review and thereby reduce processing time.

We Recommend Management:

A. Coordinate with PW management to establish criteria for ROW permits that require PW review.

B. Document the criteria and implement a formal procedure which requires staff to apply the criteria.

Management Response:

A. Management Concurs. Some of these applications are processes by BDRS Engineering Technicians; however, others require some Public Works review. Procedures are currently in place and documented in a manual; however, the manual will need to be updated to reflect the change from Permits Plus to Accela.

B. Management Concurs. Projects reviewed on case by case basis regarding ROW and Public Works, the responses are tracked in Accela for more timely review. There are some structural aspects being discussed, working with Public Works for best allocation of staff.

4. Fees Charged To The City Of Oldsmar Via Interlocal Agreement Do Not Reflect The Current County Fee Schedule.

The County's interlocal agreement with Oldsmar includes fees established in 2011 and has not been updated to reflect the County's current fee schedule. Building provides municipal building services through interlocal agreements for 11 local communities. Each of the interlocal agreements, except for the one with Oldsmar, reference the County's approved fee schedule at the time services are rendered. The Oldsmar interlocal agreement provides specific fees for plans review and inspection services that have not been updated since the agreement became effective in 2011.

The County's fiscal year (FY) 2020 fee schedule includes a charge of $70 per inspection for municipalities with an interlocal agreement. The fee schedule also contains various fees for plans review, which are generally based on the time required to perform the review, and an additional 10% for plans review subject to an interlocal agreement.

The Oldsmar agreement provides a rate of $45 per inspection and two rates for plans review: a flat rate and an hourly rate. Each week, two County plans examiners alternate spending three half-days at the Oldsmar permitting office performing residential plans review onsite. The County charges Oldsmar $36,000 annually ($3,000 monthly) for these services. The County plans examiners perform commercial plans review for Oldsmar outside these hours at BDRS. For these services, the County charges Oldsmar $66 per hour in 1/3 hour increments (i.e., $22 per 20 minutes).

Below is a comparison of the 11 interlocal agreements:

#	City	Effective Date (Entered Date)	Services County Provides	Service Methods	Fees Paid to County
1	City of Belleair Beach	4/16/2015	1. Permit Issuance 2. Plans Review 3. Inspections	Citizens apply for and receive services directly from the County.	Per County fee schedule.
2	City of Belleair Bluffs	2/7/2003			
3	Town of Belleair Shore	3/28/2003			
4	City of Indian Rocks Beach	3/30/2020			
5	City of Dunedin	3/28/2006	1. Plans Review 2. Inspections	The cities coordinate requesting plans review and/or inspection services as needed.	Per County fee schedule.
6	City of Gulfport	3/28/2006			
7	City of Pinellas Park	8/22/2007			
8	City of Safety Harbor	3/28/2006			
9	City of Seminole	3/28/2006			

#	City	Effective Date (Entered Date)	Services County Provides	Service Methods	Fees Paid to County
10	City of Madeira Beach	11/29/2016	1. Inspections	The city coordinates requesting inspection services as needed.	Per County fee schedule.
11	City of Oldsmar	9/12/2011	1. Onsite Residential Plans Review 2.Offsite Commercial Plans Review 3. Inspections	A County plans examiner works at the City of Oldsmar for three half-days per week to perform plans review. Plans review may also be performed at BDRS when needed. The city coordinates requesting inspections as needed.	1. $36,000/year 2. $66/person/hour 3. $45/inspection

In FY 2020, the County received $189,712 ($144,450 for inspection services and $45,262 for plans review services) in revenue from Oldsmar. We reviewed the invoices for services provided to Oldsmar and analyzed the fees assessed. It is not possible to compare the fees assessed for plans review services since the fees are charged based on different metrics. However, we calculated the missed revenue for inspections based on the fee disparity between the interlocal agreement and the current County fee schedule. In order to calculate the missed revenue, we took the total number of inspections for which the County charged Oldsmar and applied the fee from the current County fee schedule to determine the potential revenue. We then compared that figure to the actual revenue received and calculated the variance between the two.

In FY 2020, the County would have collected an additional $80,250 for inspection services if it had charged Oldsmar based on the current fee schedule.

FY 2020 Charges for Providing Inspection Services City of Oldsmar				
Period	# of Inspections Provided	Oldsmar Revenue Collected ($45 per inspection)	Revenue if Per FY 2020 Fee Schedule ($70 per inspection)	Variance
October 2019	404	$ 18,180	$ 28,280	$ 10,100
November 2019	364	$ 16,380	$ 25,480	$ 9,100
December 2019	259	$ 11,655	$ 18,130	$ 6,475
January 2020	309	$ 13,905	$ 21,630	$ 7,725

FY 2020 Charges for Providing Inspection Services City of Oldsmar				
Period	# of Inspections Provided	Oldsmar Revenue Collected ($45 per inspection)	Revenue if Per FY 2020 Fee Schedule ($70 per inspection)	Variance
February 2020	255	$ 11,475	$ 17,850	$ 6,375
March 2020	255	$ 11,475	$ 17,850	$ 6,375
April 2020	190	$ 8,550	$ 13,300	$ 4,750
May 2020	231	$ 10,395	$ 16,170	$ 5,775
June 2020	215	$ 9,675	$ 15,050	$ 5,375
July 2020	227	$ 10,215	$ 15,890	$ 5,675
August 2020	251	$ 11,295	$ 17,570	$ 6,275
September 2020	250	$ 11,250	$ 17,500	$ 6,250
Total	**3,210**	**$ 144,450**	**$ 224,700**	**$ 80,250**

We also compared FY 2019 figures and noted the County's FY 2019 adopted fee schedule included a fee of $54 per inspection versus $70 in FY 2020. The chart below includes a comparison of the $45 charged to Oldsmar with the $54 that would have been charged if the interlocal agreement referred to the County fee schedule in effect during FY 2019. During FY 2019, the County would have collected an additional $62,289 in revenue for inspection services.

FY 2019 Charges for Providing Inspection Services City of Oldsmar				
Period	# of Inspections	Oldsmar Revenue Collected ($45 per inspection)	Revenue if Per FY 2019 Fee Schedule ($54 per inspection)	Variance
October 2018	446	$ 20,070	$ 24,084	$ 4,014
November 2018	596	$ 26,820	$ 32,184	$ 5,364
December 2018	789	$ 35,505	$ 42,606	$ 7,101
January 2019	903	$ 40,635	$ 48,762	$ 8,127
February 2019	841	$ 37,845	$ 45,414	$ 7,569
March 2019	731	$ 32,895	$ 39,474	$ 6,579
April 2019	602	$ 27,090	$ 32,508	$ 5,418
May 2019	485	$ 21,825	$ 26,190	$ 4,365
June 2019	363	$ 16,535(1)	$ 19,793(1)	$ 3,258
July 2019	411	$ 18,495	$ 22,194	$ 3,699
August 2019	344	$ 15,480	$ 18,576	$ 3,096
September 2019	411	$ 18,495	$ 22,194	$ 3,699
Total	**6,922**	**$ 311,690**	**$ 373,979**	**$ 62,289**

(1) This total includes one inspection for $245 for an after-hours inspection.

As noted above, the County collects $3,000 monthly for onsite plans review services. The County collected the following revenue for onsite and offsite plans review services during FY 2020:

FY 2020 Charges for Providing Plans Review Services City of Oldsmar	
Period	**Revenue Collected**
October 2019	$ 3,594
November 2019	$ 3,748
December 2019	$ 3,902
January 2020	$ 3,704
February 2020	$ 3,440
March 2020	$ 3,572
April 2020	$ 4,870
May 2020	$ 3,132
June 2020	$ 3,880
July 2020	$ 3,902
August 2020	$ 3,572
September 2020	$ 3,946
Total	**$ 45,262**

We obtained the plans examiners' total burdened compensation rates, which included salary and benefits costs. We compared an average of the total burdened rate to the $3,000 charged monthly for onsite services at Oldsmar (adjusted to an hourly rate based on the 12 hours spent onsite per week and 3 hours spent traveling onsite per week) and to the hourly rate of $66 charged for offsite services:

Average of Plans Examiners' Hourly Salary & Benefits Costs	Hourly Rate Charged Onsite ($3,000 per month/Average 65 Hours Per Month)	Offsite Hourly Charge
$44	$46	$66

We also compared actual revenue collected in FY 2020 for Oldsmar plans review services with the portion of the annual cost of the plans examiners' burdened compensation rate to perform the work.

As noted below, the revenue offsets the total burdened compensation.

FY 2020 Comparison of Oldsmar Annual Plans Review Revenue & Salary/Benefits Cost	
Average of Plans Examiners' Annual Total Burdened Compensation	$ 91,385
FY 2020 Hours Spent on Oldsmar Plan Review (Onsite & Offsite)	910
% of Plans Examiners' Salary Related to FY 2020 Hours [910/(40 hours per week x 52 weeks/year)]	44%
Portion of Plans Examiners' Total Burdened Compensation Cost for Oldsmar Plans Review	$ 40,209
FY 2020 Revenue for Oldsmar Plans Review	$ 45,262
Variance	$ 5,053

Although the fees charged for plans review are sufficient to recoup the salaries and benefits costs associated with the plans examiners, it is unclear if the revenue collected offsets all costs associated with plans review, including vehicle use, gasoline, and other administrative costs that are factored into the County's fee schedule. Building management has initiated the process of reviewing its interlocal agreements for improvements and should include in their assessment a cost analysis related to providing services to Oldsmar.

The County adopts its fee schedule to ensure consistent fees are charged to citizens and there is sufficient revenue to sustain operations. All of the County's customers should pay consistent fees for the same services. Since the Oldsmar agreement has not been updated, the County lost $80,250 in inspection services revenue in FY 2020 and $62,289 in FY 2019, for a total of $142,539, and additional revenue may have been lost related to plans review services.

We Recommend Management:

A. Update the Oldsmar interlocal agreement to refer to the County's current approved fee schedule for inspection fees.

B. Conduct a review of the fees charged to Oldsmar for plans review to determine if the interlocal agreement should be amended to refer to the County's current approved fee schedule or to another amount.

C. Update the plans review fees in the interlocal agreement based on the results of the review.

Management Response:

A. Management Concurs. An updated interlocal agreement will be developed that is similar to more recent interlocal agreements that will tie back to the fee schedule.

B. Management Concurs. An analysis will be conducted to see if the department can afford to divide its resources, including on-site plan reviewer, with Oldsmar under the current department backlog due to COVID and the increase in permit activity.

C. Management Concurs. Fee schedule is currently under review in anticipation of the FY22 budget process. The interlocal rates will be part of that review.

5. The Building Fee Schedule Is Unnecessarily Complex.

The Building fee schedule is not always easy to interpret. In addition, for complex projects such as new construction, additions, or remodels, Building performs several calculations to determine permit fees. Both the fee schedule and the method used to calculate permit fees could be simplified.

Building Fee Schedule

The Building fee schedule is not well organized and sometimes confusing for staff and customers. For example, the fee schedule includes a section for plans review fees and other sections for permit fees. A particular permit may have a required plans review component, but the fee schedule does not specify the permits that do and do not require plans review. An experienced contractor may understand which permits require plans review, but a homeowner may not. Listing the total cost for each permit, including plans review, would provide clarity for anyone reviewing the fee schedule for a particular permit, regardless of their experience in the construction field. While it may not be feasible to list every potential permitting scenario, especially for more complex projects, providing a list of commonly used permits would be helpful for the user.

Within the fee schedule, permit fees are listed in six separate sections: one for each trade (building, electrical, gas, mechanical, and plumbing) and one for combination permits. Combination permits are specific to the County and originated because other jurisdictions issue a permit for each trade while the County issues permits for specific projects, which may include more than one trade. The fee schedule separates some of the combination permits from the trade-specific permits but does not explain the rationale for doing so. Further, the fee schedule sometimes references the same type of permit in multiple sections of the fee schedule, which requires explanation to accurately understand the permit fee for a specific project. The fee schedule should include the methodology used to calculate fees when it is not apparent.

Indian Rocks Beach Invoices

We also noted the County's plans examiners have incorrectly applied fees to local municipalities due to confusion interpreting the fee schedule. As noted previously in this report, the County has entered into interlocal agreements with numerous local communities to offer a range of permitting, plans review, and inspection services. Under the agreement with Indian Rocks Beach (IRB), IRB provides the County plans for review as needed, and the County performs the review and invoices IRB monthly according to the County's fee schedule.

We reviewed the invoices for IRB for three months in 2020 and attempted to trace the billing amounts to the fee schedule. When we were unable to locate some of the amounts charged on the fee schedule, we requested input from management. Management indicated some of the fees were obtained by performing appropriate calculations as discussed below under "Price Matrix" (for complex projects); however, the County does not retain these records after sending the plans back to IRB, so the amounts could not be verified. In other cases, management indicated the plans examiner should have charged the minimum plans review fee of $125 but instead charged the permit fee listed for the work being performed (for example, $157 for a seawall). The plans examiners sometimes charged the permit fee instead of the plans review fee, resulting in an incorrect fee for the customer.

It should be noted that the County entered into an interlocal agreement with IRB effective March 30, 2020, which will result in customers paying permit fees directly to the County going forward, and eliminating the invoicing process. However, BDRS is still invoicing IRB for permits issued prior to the new interlocal agreement becoming effective. Management provided training to staff immediately upon becoming aware of the inconsistencies and also implemented a procedure requiring management review of all invoices to municipalities to ensure accurate billing. Simplifying the fee schedule will make it easier for the plans examiners to consistently apply appropriate fees for work performed.

Permit Testing

While reviewing a sample of permits, we noted one combination permit had a plans review component, but instead of the plans examiner charging the minimum plans review fee of $114 per the fee schedule in effect in that FY, the plans examiner charged $28, which was the minimum fee for revisions to plans. Management indicated prior Building management provided guidance to staff indicating they should charge the revision fee when the review took less time than a standard plans review. Management provided documentation from prior management which outlined a tier system for fees, the revision fee being tier 1, the minimum plans review being tier 3, and the midpoint being tier 2. Although this guidance was a benefit to the customer in cases where smaller projects took less time to review, without being part of the approved fee schedule, Building could not be sure staff was applying the fees consistently for all customers.

We also noted another combination permit had a total fee for the mechanical portion of the permit of $159, which we could not locate in the fee schedule. Management indicated the particular permit involved would have required two inspections and, as such, was charged $91 for the minimum permit fee and $68 for the economy permit fee. Management explained when commercial plans review is required and the valuation of the project does not support calculating

the fees based on the price matrix (as detailed below), management uses minimum permit fees to recoup inspection costs. The first inspection is charged the minimum permit fee, which in FY 2019 was $91. Any additional inspections are charged the economy permit fee since some of the administrative work is not required for multiple inspections. This methodology is not disclosed to customers and could result in customers' inability to accurately predict permit fees.

Price Matrix

As noted above, BDRS performs complex calculations for new construction, additions, and remodels. When BDRS issues permits, the work that is required to be performed must be in compliance with the FBC. The FBC is based on codes established by the International Code Council (ICC). The ICC is a nonprofit association that develops building safety and fire prevention codes and standards used worldwide that provide minimum safeguards. All 50 states use the codes, which are revised every three years, at the state or local level.

In addition to publishing building code, the ICC publishes building valuation data (BVD) every six months, which provides average construction costs per square foot that municipalities can use to determine permit fees. The ICC provides a square foot construction cost table that "presents factors that reflect relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction." The ICC states the data table provides "jurisdictions with a simplified way to determine the estimated value of a building that does not rely on the permit applicant to determine the cost of construction." Therefore, the subcontractor bidding process will not affect the permit fee.

Building management has created a price matrix spreadsheet, which includes the ICC BVD and a template to input project specific information such as occupancy type and total square feet. Once staff has entered this information into the matrix, the matrix calculates the total project value based on the information entered and the ICC data. This total value is compared with the customer's stated project value, and the larger of the two is used for further calculations based on square feet of the project and other project-specific details.

The price matrix is not always accurate and may require adjustment. Building's goal is to recoup actual costs for plans review and inspections services. Sometimes, the price matrix yields a fee that is larger than necessary because the value of the project is not representative of the number of inspections that will be required. Plans examiners must assess the appropriateness of the fees and, at times, they change the fees based on their experience. This can result in an inconsistent application of fees for the customer. In addition, management has not historically reviewed the price matrix changes for reasonableness. See OFI #6 for further details.

Once the price matrix is finalized (during the permit application process), plans review fees are assessed at 25% of the total permit fees calculated. The plans review fee is payable prior to the plans review being performed. The FY 2020 fee schedule indicates plans review will be assessed at 25% of the permit fee, with a minimum of $125 and a minimum of $31 for revisions. Therefore, if the price matrix yields an amount for plans review less than $125, $125 will be charged. The fee schedule does not clearly explain the use of the price matrix. Plans examiners also use their discretion when applying plans review fees based on anticipated inspections. In

addition, as noted above, they have adopted a practice of charging less than $125 when the review takes minimal effort.

During interviews with staff, the plans examiners indicated a general consensus that they charge $125 when the review takes one hour or more, $31 when it is less than 30 minutes, and sometimes they will charge $63 (half of $125 rounded up) when the time spent is somewhere between 30 minutes and one hour. As noted above, prior Building management provided guidance in the past about charging municipalities using this "tier" method, but it was never adopted formally in the fee schedule. With this subjectivity and the natural variance of staff's review time, Building may charge customers inconsistently. Management indicated customers routinely question the fees and they sometimes have to increase or decrease the fees charged based on their review of the charges.

Current management believes the price matrix could be simplified to be based only on project value. The customer would submit the value with a contract as support for the value assessed. If in question, Building staff could perform the price matrix calculations to ascertain the reasonableness of the reported value. No further calculations would be performed. Management would need to perform an analysis to determine the revenue effects of changing its system; however, changing this practice could result in a simplified and consistent application of the fee schedule. Building should include in a revised version of the fee schedule, an explanation of the process including project value verification (when necessary) using the price matrix, and the assessment of the minimum plans review fee.

The County's strategic plan includes goals and strategies to serve its mission, which includes providing superior public service. Included in its goals is delivering first class services to the public and its customers by ensuring effective and efficient delivery of County services and support. To that end, customers should be able to access County services and related information and easily interpret the information. Specific to BDRS, customers should be able to read and easily understand the fee schedule when planning a project. Fees assessed should be objective and based on actual work performed in an effort to recover costs associated with providing services to the public.

The fee schedule was developed several years ago, and the department has not had the resources to devote to updating it. As a result, it is difficult for customers to accurately predict fees for projects. In addition, when the price matrix is used, it is not always accurate and requires updates. Sometimes the changes applied can be subjective, which allows for inconsistent application of fees. Management acknowledges simplifying the fee schedule would benefit customers and the department.

We Recommend Management:

A. Simplify the fee schedule so it is easy for individuals to understand and use. This should include reorganizing fees in a logical order to incorporate as much of the fees as possible for a given permit and providing an explanation of the methods used to apply fees when necessary.

B. Periodically review invoices and supporting documentation prepared for municipalities to ensure accuracy.

Management Response:

A. Management Concurs. The fee schedule is currently under review and will be adopted with the FY22 budget. The Fee schedule will be simplified and reviewed for redundancies. The fee schedule will be simplified as well as fee coding for permits in Accela. Training will be conducted and a standard for permit fee procedures will be developed for staff fee invoicing.

B. Management Concurs. A procedure / guideline will be developed for municipal invoicing that will include closer monitoring of outgoing invoices.

6. There Is No Supervisory Approval Of Price Matrix Changes.

As noted above in OFI #5, when plans reviewers assess plans review fees using the price matrix, they sometimes make changes to price matrix results based on the anticipated number of inspections that will be required for the project. There is no supervisory review of the changes made. Part of the permit application process requires the use of a price matrix to determine permit fees for new construction, additions, and remodels.

The price matrix is based on various factors, such as occupancy type and square feet of the project, and uses the ICC's BVD. However, there are times when the permit fees determined by the price matrix must be adjusted. For example, the value of a project may be high, which may yield a high permit fee; however, the type of project will require only a few inspections and, therefore, a lower permit fee is appropriate to recoup inspection costs. Sometimes the fees must be increased based on the inspections required. Currently, the plans reviewers adjust the price matrices as needed, but there is no supervisory review of the changes.

Although in OFI #5 we recommended the fee schedule be simplified and the price matrix be eliminated for most projects, if Building continues to use the matrix, a supervisor should review any adjustments to permit fees. Additionally, if management implements its proposed methodology for calculating permit fees going forward and the price matrix is used only for reasonableness checks, a supervisor should also review the use of the price matrix in that capacity.

Management did not implement a procedure for a managerial review of the price matrix changes. Consequently, there is a risk that unauthorized changes could be made or errors would not be addressed through staff training opportunities. Supervisors should review staff adjustments to permit fees to ensure all adjustments are appropriate.

We Recommend Management:

A. Simplify the building fee schedule and determine the most appropriate use of the price matrix.

B. Implement a procedure for a supervisory review of any price matrix adjustments when in use.

Management Response:

A. & B. Management Concurs. The fee schedule is currently under review and will be adopted with the FY22 budget. The Fee schedule will be simplified and reviewed for redundancies. Fee coding will be developed to allow for more automated invoicing for permits in Accela. Training will be conducted and a standard for permit fee procedures will be developed for staff fee invoicing. A procedure / guideline will be developed for invoicing that will include closer monitoring of outgoing invoices. Specific privileges tied to Accela, not as much leeway to add in/edit. Information will be pulled from the fee schedule. Addressing the date stamp task from plans received from Indian Rocks Beach will be in place.

7. Construction Plans From Municipalities Are Not Date Stamped.

Historically, Building has received plans from local communities that submit the plans to the County per interlocal agreements. Building staff keeps a log they update with the date plans are received and the date they are returned to the communities. However, sometimes there is a delay between the time Building staff receives the plans and when they are routed to the staff who enters them on the log. For example, staff may pick up the plans on a Friday and not route them to be logged until the following Monday.

In some cases, municipalities include a transmittal sheet with the plans they send the County and they enter a date on the transmittal sheet. During interviews, staff indicated in the past, one city delayed sending the plans and, therefore, the plans reviewer did not review the plans until weeks after the date indicated on the transmittal. There was no explanation of the delay on the plans review transmittal sheets, and without staff's knowledge, it could have appeared the County caused the delay.

The County has entered into interlocal agreements with several local communities to provide plans review services. Section 553.79(14), Florida Statutes, requires local governments to review residential plans within 30 days and Section 553.792(1), Florida Statutes, requires local governments to review commercial plans within 120 days. The interlocal agreements do not specify liability related to statutory time frames, and the responsibility likely lies with the municipality to ensure timely review. However, since management has not implemented a

procedure to date stamp plans when they are received, if a dispute were to arise, the County would not be able to indicate with certainty the date the County received the plans.

We Recommend Management:

Develop a procedure to ensure all construction plans received from municipalities are date stamped upon receipt.

Management Response:

Management Concurs. A standard operating procedure will be developed as well as staff training to ensure all construction plans received are date stamped upon receipt.

8. Building Complaint Records In Permits Plus Are Not Always Complete.

Building receives complaints through the County's SeeClickFix application, referrals from BDRS's Code Enforcement Division or the Pinellas County Contractor Licensing Department, and from the public via telephone calls and emails. Historically, Building's inspection desk staff entered complaints in Permits Plus, which generated a building complaint case within the system. Staff now executes that process in Accela.

The inspection desk staff routes complaints received to inspectors to investigate and determine if they are unfounded or substantiated. If the inspectors determine they are substantiated, inspection desk staff prepares a notice of violation and sends it to the responsible party. The responsible party has two weeks to correct the violation, or the inspection desk sends a final notice, which offers an additional two weeks to comply.

If the responsible party does not comply within the period allowed by the final notice, Building issues a citation, which allows the responsible party 30 days to comply, or a fee of $193 is due. Further noncompliance can result in two additional citations with escalating fines, referral to local ordinance violation court, and referral to a special magistrate.

In some cases, inspectors may note a violation during their regular work duties. In these instances, inspection desk staff enters the violations in Permits Plus and designates the cases as violations instead of complaints.

For the cases that start as complaints and are substantiated, staff should update Permits Plus to reflect the case is a violation. We reviewed building complaint statistics compiled by inspection desk staff in an Excel spreadsheet and noted in 2018, the number of complaints that resulted in violations drastically decreased, from 218 in the prior year, to 8.

Year	# of Complaints	# of Violations
2017	736	218
2018	813	8

In order to understand the reason for the unexpected variance, we sampled 3% (24) of the 813 building complaint cases received in 2018. We noted that, of the 24 cases in our sample, 15 were designated as complaints and nine were designated as violations in Permits Plus. Upon further inspection of the case details, we noted that, of the 15 cases in our sample designated as complaints, seven had resulted in violations and their subtype in Permits Plus should have been changed from "complaint" to "violation." Therefore, not only was the statistical data incorrect, but the case designations were not always accurate in Permits Plus.

During interviews with staff, we learned when a case is designated as a complaint, staff has not been trained to update the designation to violation if and when it becomes a violation. Staff confirmed Permits Plus allowed this designation to be updated and would adopt a practice of doing so going forward. However, the historical data in Permits Plus cannot be relied upon.

We inquired with Accela project management staff about the use of this data in Accela. Although the records are set up similarly and staff will need to designate cases as complaints or violations, the reports Accela generates will not be based on these particular data fields. Instead, Accela will use its workflow functionality to generate reports, which is automatically updated as staff processes complaints through the violation process. Although the reports should generate accurate data in Accela based on workflows, staff should be trained to fill out all fields completely and accurately to ensure consistent record keeping within Accela.

Maintaining accurate records is an essential business practice. Data should be available and reliable for the department's operational needs and for the public to access when necessary. As soon as we informed management of this issue, it indicated it would draft a standard operating procedure (SOP) for use with Accela and train staff to enter data completely.

We Recommend Management:

A. Develop and implement a SOP for entering building complaints and violations in Accela so complete and accurate data is captured.

B. Ensure staff is trained according to the new SOP.

Management Response:

A. Management Concurs. The department will develop and implement a standard operating procedure for entering building complaints and violations in Accela so that complete and accurate data is captured. Furthermore, the department is considering creating a position that is directly responsible for building complaints and building enforcement.

B. Management Concurs. Management will ensure staff is trained according to the new SOP.

9. The Building Enforcement Function Is Not Fully Operational.

The manager over the inspection desk (enforcement function) retired in August 2019 and, while another staff was appointed to perform duties in the interim, the recruitment process for filling the position was postponed for several months due to COVID-19. Management is still working to fill the supervisor's position.

Prior to the enforcement supervisor's retirement, there was a concern that inspectors spent a significant amount of time investigating complaints and subsequently attending court hearings after they substantiated a complaint. We included this area in the planned audit scope. However, during the audit, we learned the County attorney assigned to BDRS revised the process for court appearances and only required the inspectors to attend trials as subject matter experts. This significantly reduced the amount of time inspectors spent on complaints.

During the audit, we noted some issues may have resulted from not having a supervisory role in the enforcement function. As noted in OFI #8, some of the building complaint data was not accurately tracked. We also learned during interviews with staff that since 2018, there have been no referrals to the special magistrate, which is the last step in the enforcement process. Management believes this is directly related to the lack of supervisory oversight of the enforcement function.

We also noted during interviews with inspectors there is no follow-up to the inspector's determination of a building complaint; therefore, there is a risk that an inspector could inaccurately report the violation when it is substantiated. In addition, when an inspector performs a site visit to investigate a complaint, if they cannot make entry to view the alleged violation, they perform a total of three site visits before closing the complaint as unfounded. While this effort is reasonable, it may be beneficial to consider rotating inspectors who perform site visits. Accela has the functionality to assign complaints to inspectors, and reassign them as necessary, with a historical record of all assignments.

Section 125.69 Penalties; enforcement by code inspectors, Florida Statutes, states the following:

> *"(4) The board of county commissioners of each county may designate its agents or employees as code inspectors whose duty it is to assure code compliance. Any person designated as a code inspector may issue citations for violations of county codes and ordinances, respectively, or subsequent amendments thereto, when such code inspector has actual knowledge that a violation has been committed."*

Section 553.80 Enforcement, Florida Statutes, states the following:

> *"(1) Except as provided in paragraphs (a)-(g), each local government and each legally constituted enforcement district with statutory authority shall regulate building construction and, where authorized in the state agency's enabling legislation, each state agency shall enforce the Florida Building Code required by this part on all public or private buildings, structures, and facilities, unless such responsibility has been delegated to another unit of government pursuant to s. 553.79(9)."*

The manager over the enforcement function retired in August 2019 and, while another staff was appointed to perform duties in the interim, the recruitment process for filling the position was postponed for several months due to COVID-19. Not having a fully operational enforcement function has resulted in insufficient data tracking and a lack of case processing.

We Recommend Management:

A. Ensure the enforcement function is staffed and fully operational to ensure all enforcement cases are processed.

B. Consider tracking staff time spent on enforcement-related activities so the department has quantifiable data to aid in decision-making if changes to case processing are required in the future.

C. Consider rotating inspectors based on geographical areas and also within a specific investigation when multiple site visits are required to verify an allegation.

Management Response:

A. Management Concurs. Management is evaluating the best and most efficient manner of enforcing violations and may or may not fill the supervisor's position as it was once, but will address the need for enforcement.

B. Management Concurs. Management will consider tracking building violations metrics moving forward. This is a work in progress, management concurs that this is a task to complete in time as our ability to complete is unknown and progress will be tracked.

C. Management Concurs. This issue was evaluated through the Palm Harbor Pilot Program in early 2020. Through the Pilot Program it was determined that a effective way to address citation complaints are addressed by nearest inspector to the site or as determined by efficiency within route. Management is considering an online program that would allow for real time workload management. Typically follow ups on the violation are generally assigned to original inspector who noted the violation for continuity and as the person who has the most knowledge of the incident; however, if that employee is not available the work can be reallocated to another inspector or supervising inspector.

10. Building Code Inspectors Do Not Consistently Cite Applicable Code When Failing An Inspection.

During interviews with inspectors, we learned not all inspectors cite the relevant code sections when failing an inspection. We also reviewed a recent BDRS customer survey and noted comments from customers that specifically asked that the code sections be stated when an inspection does not pass. In order to meet code requirements and to attain a desirable level of professionalism and customer service, inspectors should communicate to customers the legal reason for failing an inspection. As an aid in this effort, Accela will contain some of the code sections in a list format that inspectors can select when failing an inspection; however, they will need to manually add any applicable code sections not prepopulated in Accela.

FBC, Chapter 1 Administration, Section 110 Inspections, 110.3 Required Inspections, states:

> *"The building official upon notification from the permit holder or his or her agent shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes."*

In addition, Section 553.79 Permits; applications; issuance; inspections, Florida Statutes, has similar requirements for plans review:

> *"An enforcing agency may not issue any permit for construction, erection, alteration, modification, repair, or demolition of any building or structure until the local building code administrator or inspector has reviewed the plans and specifications required by the Florida Building Code, or local amendment thereto, for such proposal and found the plans to be in compliance with the Florida Building Code. If the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant."*

BDRS already requires Building plans reviewers and DRS site plan reviewers cite applicable codes when they cannot approve their review of construction documents. Ensuring all inspectors adhere to the same requirements will result in consistency and maintain the County's professionalism and credibility with its customers.

Historically, management has not required inspectors to cite applicable code sections when failing an inspection. As a result, the customer may not fully understand the reason the inspection failed. In addition, the inspectors may not be in compliance with the FBC.

We Recommend Management:

Implement a procedure requiring inspectors to cite applicable codes when failing an inspection.

Management Response:

Management Concurs. Management will train inspectors and develop a standard operating procedure requiring code citing for inspection failures.

11. The Management Of Physical Addresses Diverts Staff Resources From Building Plans Review.

Building is responsible for managing physical address assignment for new property lots and electrical meters and for coordinating address changes when necessary. BDRS manages physical addresses within unincorporated areas of the County, and each city manages the addresses within its city limits. Currently, BDRS building plans examiners perform the tasks associated with managing the County's physical addresses, which requires the time of approximately half of one full-time equivalent.

Building assigns new addresses when a customer is dividing land into two lots (a lot split) or when a customer is developing a property and wishes to subdivide the land into three or more lots, by way of platting. For a lot split, the customer requests parcel IDs from the PA and the PA sends the request to DRS to review for Code requirements. DRS reviews it as a Type 1 application pursuant to Chapter 138 Article II of the Code, which allows the department decision-making authority. If DRS approves the lot split, the PA provides the two parcel IDs to the customer, and the customer submits them to BDRS for address assignment.

When a customer is subdividing land into three or more lots, the platting process results in a Type 5 application pursuant to Chapter 138 Article II of the Code and requires BCC approval. The customer submits a site plan to DRS, and the platting process begins during the site plan review process. After the platting process is complete, the PA assigns parcel IDs to all lots and sends BDRS the list of parcel IDs. BDRS then assigns addresses to each parcel of land. When subdivision development includes new streets, the customer must also request street names from the County's Regional 911. When a customer requests an address for an electrical meter, BDRS assigns the address and reports the new address to Duke Energy and the customer.

In addition to new address assignments, BDRS processes requests for address changes, which are received from two sources. Homeowners may request an address change for a personal

reason, such as their home being situated on a corner lot and preferring one street name to the other. Regional 911 requests address changes when they have responded to an emergency call and noted an error with an address.

Errors happened as a result of various agencies being responsible for address management and inconsistent application over time. Initially, builders assigned their own addresses when developing property, then the United States Postal Service (USPS) managed address assignments, and finally the County took ownership of the process and delegated it to Building over 20 years ago.

After BDRS researches historical information related to the property in question, it notifies the homeowner of their new address. When the address change is the result of a life safety issue identified by Regional 911, BDRS notifies the homeowner that an address change is needed. In most cases, homeowners understand and are willing to change their address to improve the efficiency of Regional 911's emergency response efforts; however, there have been occasions when customers resisted the change. In one recent case, a customer hired an attorney, refused to change their address, and since there was no legal requirement to change the address, the County suspended its efforts to request the change.

After addresses are assigned or changed, BDRS notifies the following agencies:

- Duke Energy
- PA
- Pinellas County Sheriff's Office
- Regional 911
- USPS
- Utilities

Regional 911 also contacts BDRS for address verification related to emergency response efforts. Emergency response is the most critical aspect of an address, and Regional 911 currently has to coordinate with the County, all cities and fire districts within the County, as well as law enforcement agencies and ambulance services. Due to the need to centralize the management of addresses and the life safety component, as emergency responders need accurate address information, Regional 911 has indicated a desire to manage physical addresses for both the County and the cities within the County. BDRS agrees with the need for centralized coordination, which would also result in a more streamlined process for customers who would otherwise have to contact Regional 911 for street name requests. In addition, if BDRS relinquishes the majority of the address management responsibilities to Regional 911, building plans examiners can focus their efforts on their core function of building plans review, thereby reducing review times for customers.

County Code Chapter 22 Building and Building Regulations, Article IV Building Numbering contains a section related to U.S. 19 building numbering, which states addresses "shall be assigned by the county department designated by the county administrator" and "addresses shall be assigned in accordance with administrative procedures adopted by the county

administrator." However, there is currently no other ordinance to support the assignment of addresses or the requirement to change an address for life safety purposes. Regional 911 and BDRS are in the process of revising Article IV language to include additional address numbering requirements and the authority to require an address change for public safety and other necessary purposes.

Historically, building plans examiners have been responsible for managing physical addresses and have had to balance the associated tasks with plans review activities. Building plans examiners have statutory requirements related to plans review and on occasion work overtime to meet those requirements. The management of physical addresses requires building plans examiners to spend time away from plans review activities, which results in slower response times to customers and higher overtime costs.

We Recommend Management:

Coordinate with Regional 911 to transfer the management of physical addresses within the unincorporated areas of the County to Regional 911.

Management Response:

Management Concurs. Management has been in conversations with the 911 department to discuss the possibility of directing the addressing responsibilities to their department.

12. All Building Code Inspectors Are Not Utilizing Technology For Efficiency.

All inspectors are not using routing technology when developing their routes each day. Historically, inspectors relied on hard copy maps and/or their knowledge of their assigned zones to create their inspection routes each day. Over time, some of the inspectors have leveraged technology by using online mapping tools. In addition, a subset of those inspectors have sought and obtained approval to use a routing application, which is accessible on their County mobile devices. The inspectors enter the addresses they are required to visit for the day, and the application automatically routes the inspections most efficiently.

The County's Office of Technology & Innovation (OTI) has indicated it plans to recommend the County purchase an Accela add-on, which would provide routing capabilities for the inspectors. Technology provides efficiencies that can enhance the County's effectiveness delivering services to its citizens.

Management has not required inspectors to use automated tools to route their inspections. By not requiring the use of technology, time spent determining routes manually may be wasted. In addition, the routes inspectors establish may not be the most efficient, which could result in additional lost time. Moreover, requiring all inspectors to utilize the same methods for performing

their work will allow for consistent training of new staff and uniform practices within the inspection function.

We Recommend Management:

A. Consult with OTI and identify technology for inspectors which would automate inspection routes.

B. Develop and provide training to inspectors for consistent use of automated route planning solutions.

Management Response:

A. Management Concurs. Management is currently looking at various software systems and technology to streamline inspector routing and interactions with Accela and client. Management is working in conjunction with OTI and BTS to be able to integrate the right software for our needs.

B. Management Concurs. Once we determine the best solution, training for staff will follow.

13. Accountant Was Not Compensated For Travel To Make Daily Bank Deposits.

The BDRS Accountant was not always compensated for time spent making daily bank deposits. The Accountant's responsibilities include making daily bank deposits on Monday through Friday. The Accountant's regular work schedule is from 8:00 a.m. to 4:30 p.m. with a half-hour lunch, Monday through Friday. This is a standard eight-hour work day, which totals 40 hours for each work week. Some days the Accountant left the office at 4:30 p.m. to make the daily deposit. The Accountant did not add time spent after 4:30 p.m. to the time card in order to be compensated. The Accountant and management indicated the Accountant consistently works approved overtime; however, due to not recording some overtime worked during the daily bank deposits, the Accountant is not always compensated for her overtime.

Under the Fair Labor Standards Act (FLSA), the time spent driving to the bank and making the deposit is considered work time. The Accountant position is considered "classified" and, therefore, paid at an hourly rate. The Accountant was not always compensated for her time worked over 40 hours in accordance with the FLSA.

The U.S. Department of Labor, Wage and Hour Division, in the Code of Federal Regulations Part 785, Section 785.38, under the FLSA of 1938, as amended, and State minimum wage laws require employees be paid for all time worked. This is true even when work is performed somewhere other than the usual work site. Employees must be paid for travel between work sites under the FLSA.

The U.S. Department of Labor, Wage and Hour Division, under FLSA requires employees be paid for work time travel. The U.S. Department of Labor, Wage and Hour Division, Fact Sheet #22, summarizes the law as:

> *"Travel That is All in a Day's Work: Time spent by an employee in travel as part of their principal activity, such as travel from job site to job site during the workday, is work time and must by counted as hours worked."*

In regards to time worked over 40 hours, the FLSA states the following:

> *"The Act requires that employees must receive at least the minimum wage and may not be employed for more than 40 hours in a week without receiving at least one and one-half times their regular rates of pay for the overtime hours. The amount employees should receive cannot be determined without knowing the number of hours worked."*

Management was not aware the Accountant was not recording time for making the daily bank deposit. BDRS was potentially in violation of labor laws since a classified employee was not paid at one and one-half times the regular rate for hours worked in excess of 40 hours. When we informed management of this condition, management took immediate steps to require the Accountant to document actual time worked so the County could accurately compensate the employee for time worked.

We Recommend Management:

A. Ensure employees track actual time worked.

B. Compensate employees for time necessary to complete their required work responsibilities.

C. Ensure each classified employee who works in excess of 40 hours is paid at one and one-half times the employee's regular rate of pay.

Management Response:

A. , B., & C. Management Concurs. There was never a time when management refused the time sheet of the accountant for the time spent to travel to perform daily bank deposits. Each employee is responsible for tracking their time and submitting their timesheet. Management was unaware that the accountant had not been recording the time spent traveling to the bank. Once informed, management took immediate steps to require that the accountant document actual time worked.

14. Departmental Policies And Procedures Are Outdated.

We surveyed BDRS divisions and work groups in order to obtain desk procedures for staff and noted, although some sections have process flow documents and/or checklists to assist staff, there are very few desk procedures which outline the tasks that should be performed. Recent changes in the Accounting staff at BDRS resulted in the current staff developing a substantial amount of desk procedures related to cash handling, preparing bank deposits, and various other tasks, which was one area where policies and procedures were current. Management indicated they agreed with the need for updated policies and procedures and were working on this effort, in conjunction with the recent Accela implementation, to ensure there were documented procedures that captured changes in processes related to Accela.

Written policies and procedures provide necessary guidance to perform departmental activities properly and consistently at a required level of quality. The development of procedures provides management with the opportunity to ensure adequate processes and internal controls have been established. Specific desk procedures support the cross-training and backup for key staff functions.

In most cases, policies and procedures have never been developed throughout the department. Those that do exist are generally outdated. A lack of policies and procedures may lead to inconsistencies performing work or segregation of duties issues.

We Recommend Management:

A. Develop policies and SOPs for all key departmental processes. The procedures should be in sufficient detail to allow alternate staff to use them in a backup capacity.

B. Implement a system for ensuring policies and procedures remain current as procedures change.

Management Response:

A. & B. Management Concurs. Management will develop and implement a standard operating procedure for all key departmental processes and ensure that policies and procedures remain current as procedures change. There will be individual sections that relate specifically to job duties, and one overall SOP electronic version for all staff members. This is in the infancy in electronic form currently. Administrative Staff will be assisting. The goal is a successful on-boarding electronic document that is kept up to date.

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