

# Planning, Building and Code Enforcement Department

Joseph Horwedel, Director

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**F**acilitate the preservation and building of a safe, attractive, vibrant and sustainable San José through partnership with and exceptional service to our diverse communities and customers

## *City Service Areas*

**Community and Economic Development  
Neighborhood Services**

## *Core Services*

### **Community Code Enforcement**

Enforce and promote compliance with local and State codes to ensure a safe, healthy and attractive community

### **Development Plan Review & Building Construction Inspection**

Manage and review development and construction applications to allow issuance of permits in compliance with applicable codes and policies

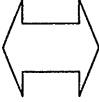
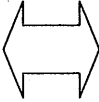
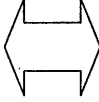
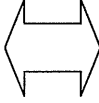
### **Long Range Land Use Planning**

Develop land use plans and policies to guide the future physical growth of the City

**Strategic Support:** Administration, Clerical Services, Budget Preparation, Fiscal Services, Human Resources, Information Systems, Marketing and Outreach, and Safety/Wellness

# Planning, Building and Code Enforcement Department

## Service Delivery Framework

Core Service		Key Operational Services
<p><b>Community Code Enforcement:</b>  <i>Enforce and promote compliance with local and State codes to ensure a safe, healthy and attractive community.</i></p>		<ul style="list-style-type: none"> <li>• Community Outreach/ Neighborhood Empowerment</li> <li>• General Code Enforcement</li> <li>• Housing Code Enforcement</li> <li>• Proactive Code Enforcement</li> </ul>
<p><b>Development Plan Review &amp; Building Construction Inspection:</b>  <i>Manage and review development and construction applications to allow issuance of permits in compliance with applicable codes and policies.</i></p>		<ul style="list-style-type: none"> <li>• Review of Land Use, Rezoning, Development Applications &amp; Plans for Compliance with Zoning Code, Standards, Policies and Guidelines</li> <li>• Review of Construction Plans and Calculations for Compliance with Building Code Standards, Policies and Guidelines</li> <li>• Environmental Review</li> <li>• Construction Inspection</li> <li>• Permit Issuance</li> <li>• Public Information Services</li> </ul>
<p><b>Long Range Land Use Planning:</b>  <i>Develop land use plans and policies to guide the future physical growth of the City.</i></p>		<ul style="list-style-type: none"> <li>• City-wide Land Use Planning (General Plan)</li> <li>• Historic Preservation</li> <li>• Specific/Area Planning</li> <li>• Neighborhood Revitalization</li> <li>• Policy/Ordinance Development</li> </ul>
<p><b>Strategic Support:</b>  <i>Administration, Clerical Services, Budget Preparation, Fiscal Services, Human Resources, Information Systems, Marketing and Outreach, and Safety/Wellness.</i></p>		<ul style="list-style-type: none"> <li>• Administration</li> <li>• Clerical Services</li> <li>• Budget Preparation</li> <li>• Fiscal Services</li> <li>• Human Resources</li> <li>• Information Systems</li> <li>• Marketing and Outreach</li> <li>• Safety/Wellness</li> <li>• Web Design and Utilization</li> <li>• Building and Code Call Centers</li> <li>• Imaging Services</li> </ul>

# Planning, Building and Code Enforcement Department

## Department Budget Summary

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### Expected 2011-2012 Service Delivery

- Complete the community-based General Plan Update, including performance measures and sustainability indicators; continue to pursue grant funding for implementation resources.
- Complete the Sign Code update, Zoning Code modifications to align with the General Plan Update, and other ordinances to streamline development processing.
- Provide Building Division field inspections within 24 to 72 hours of request.
- Pilot a new Expedited Coordinated Review process to provide customers an option to choose a faster processing timeline for certain Planning applications.
- Expand Planning's capacity to review and track permits that require mitigation monitoring, improving the City's compliance with measures required by the California Environmental Quality Act (CEQA).
- Increase the number of counter customers served in less than 30 minutes at the Development Services Permit Center; a restored Program Manager will manage the daily volume of Permit Center customers and increased demand for permit issuance services in the Expedited and Special Tenant Improvement or Industrial Tool Installation (STI/ITI) lines.
- Continue to provide Administrative Hub services to Development Services partners (Building, Fire, Planning, and Public Works), including accounting services, budget analysis and reporting, AMANDA technology services, and performance measurement reporting.

### Impacts of 2011-2012 Budget Actions

- Reductions in Development Services public information staffing will result in longer wait times for general inquiry questions or requests. While much of this information is on the Department's website, customer demand for direct staff assistance has continued. To respond to this need, remaining Planners will provide up to 15 minutes of free general inquiry assistance. For Planning general inquiries that require more than 15 minutes, customers will be able to schedule time in 15 minute increments on a fee basis. This ensures cost recovery and provides customers with access to staff to fully accommodate their needs.
- Elimination of 4.0 Code Enforcement Inspectors (3.0 funded through the San Jose Redevelopment Agency; 1.0 funded by the General Fund), elimination of 1.0 Code Enforcement Inspector effective July 2012, and reallocation of 1.0 Code Enforcement Inspector to the Building Code Compliance program, which is anticipated to be fully cost-recovery, requires a change in Code Enforcement service delivery for routine complaints; proactive enforcement and weekend services will cease. *Emergency* (health and safety) and *Priority* complaints will still be inspected within 24 and 72 hours, respectively.
- Adds 2.0 Code Enforcement Inspectors to review license applications, conduct initial site inspections, and conduct additional compliance inspections for the new fully cost-recovery Tobacco Retailer Enforcement Program.
- Services added in the 2010-2011 Adopted Budget on a temporary basis are made permanent, offset by Building fees, including the Enhanced Expedited plan review service line and the second service line for STI/ITI projects.
- The Development Services Project Manager/Expediter will be made permanent to serve as a single point of contact for key economic development projects going through the development process, and work with Development Services partners to accelerate permit processing schedules.
- Adds 1.0 Code Enforcement Inspector through June 30, 2012 to provide code enforcement for the Medical Marijuana Regulatory Program.

### Operating Funds Managed

N/A

# Planning, Building and Code Enforcement Department

## Department Budget Summary

	2009-2010 Actual 1	2010-2011 Adopted 2	2011-2012 Forecast 3	2011-2012 Adopted 4	% Change (2 to 4)
<b>Dollars by Core Service</b>					
Community Code Enforcement	\$ 9,975,077	\$ 9,518,335	\$ 10,059,032	\$ 9,425,107	(1.0%)
Development Plan Review and Building Construction Inspection	14,123,342	15,601,111	15,856,728	17,695,531	13.4%
Long Range Land Use Planning	1,750,844	2,050,117	1,765,413	1,847,648	(9.9%)
Strategic Support	1,242,024	1,275,044	1,284,163	1,268,298	(0.5%)
<b>Total</b>	<b>\$ 27,091,287</b>	<b>\$ 28,444,607</b>	<b>\$ 28,965,336</b>	<b>\$ 30,236,584</b>	<b>6.3%</b>
<b>Dollars by Category</b>					
Personal Services					
Salaries/Benefits	\$ 25,342,358	\$ 25,491,445	\$ 26,734,921	\$ 27,367,519	7.4%
Overtime	62,584	193,142	164,882	181,622	(6.0%)
Subtotal	\$ 25,404,942	\$ 25,684,587	\$ 26,899,803	\$ 27,549,141	7.3%
Non-Personal/Equipment					
<b>Total</b>	<b>\$ 27,091,287</b>	<b>\$ 28,444,607</b>	<b>\$ 28,965,336</b>	<b>\$ 30,236,584</b>	<b>6.3%</b>
<b>Dollars by Fund</b>					
General Fund	\$ 23,575,331	\$ 25,475,855	\$ 26,199,309	\$ 27,322,064	7.2%
Airport Maint & Opers	56,985	58,880	61,869	62,015	5.3%
Comm Dev Block Grant	2,782,558	1,898,922	1,901,024	1,793,630	(5.5%)
Integrated Waste Mgmt	21,455	254,627	46,458	201,065	(21.0%)
Low/Mod Income Hsg	59,837	74,396	0	0	(100.0%)
Sewer Svc & Use Charge	164,169	143,701	153,564	146,607	2.0%
SJ/SC Treatment Plant Oper	32,124	45,615	44,602	44,582	(2.3%)
Storm Sewer Operating	255,373	290,303	329,710	313,468	8.0%
Water Utility	20,098	24,331	24,214	22,806	(6.3%)
Capital Funds	123,357	177,977	204,586	330,347	85.6%
<b>Total</b>	<b>\$ 27,091,287</b>	<b>\$ 28,444,607</b>	<b>\$ 28,965,336</b>	<b>\$ 30,236,584</b>	<b>6.3%</b>
<b>Authorized Positions by Core Service</b>					
Community Code Enforcement	91.73	80.73	78.87	76.87	(4.8%)
Development Plan Review and Building Construction Inspection	95.13	107.63	103.71	116.21	8.0%
Long Range Land Use Planning	16.20	14.70	9.20	13.45	(8.5%)
Strategic Support	7.94	7.94	6.72	6.72	(15.4%)
<b>Total</b>	<b>211.00</b>	<b>211.00</b>	<b>198.50</b>	<b>213.25</b>	<b>1.1%</b>

# Planning, Building and Code Enforcement Department

## Budget Reconciliation

(2010-2011 Adopted to 2011-2012 Adopted)

	Positions	All Funds (\$)	General Fund (\$)
<b>Prior Year Budget (2010-2011):</b>	<b>211.00</b>	<b>28,444,607</b>	<b>25,475,855</b>
<b>Base Adjustments</b>			
<b>One-Time Prior Year Expenditures Deleted</b>			
• Rebudget: FileNet Upgrade		(198,422)	(198,422)
• Rebudget: Sign Code Update		(65,000)	(65,000)
• Rebudget: Annexation Implementation		(37,500)	(37,500)
• Rebudget: Code Enforcement database conversion		(6,100)	(6,100)
• Building Fee Program:			
- Special Tenant Improvements/Special Tool Installation program (1.0 Associate Architect, 2.0 Building Inspector, 1.0 Planner II, 1.0 Senior Permit Specialist)	(5.00)	(656,170)	(656,170)
- Third Express Review Line and Permit Center Staffing (1.0 Associate Engineer, 1.0 Building Inspector, 0.5 Planner II, 1.0 Principal Permit Specialist, 1.0 Senior Permit Specialist)	(4.50)	(544,273)	(544,273)
- Addressing (1.0 Planner II)	(1.00)	(135,212)	(135,212)
• General Code Enforcement Program (2.0 Code Enforcement Inspector)	(2.00)	(261,702)	(261,702)
• Temporary Long Range Planning activities:			
- Habitat Conservation Plan		(167,595)	(167,595)
- Annexations		(113,000)	(113,000)
- General Plan Update Staffing (1.0 Geographic Systems Specialist II, 2.0 Planner II, 2.0 Senior Planner)	(5.00)	0	0
• Annualized Strong Neighborhoods Initiative (SJRA Funded)		(2,500)	(2,500)
<b>One-time Prior Year Expenditures Subtotal:</b>	<b>(17.50)</b>	<b>(2,187,474)</b>	<b>(2,187,474)</b>
<b>Technical Adjustments to Costs of Ongoing Activities</b>			
• Salary/benefit changes and the following position reallocations:		1,416,340	1,693,457
- 1.0 Principal Planner to 1.0 Senior Planner			
• Transfer of non-enterprise information technology support from Information Technology Department (1.0 Information Systems Analyst, 2.0 Senior Systems Applications Programmer, 1.0 Supervising Applications Analyst, 1.0 Systems Applications Programmer, non-personal/equipment for IDTS contractual services)	5.00	984,317	953,045
• Reallocate 0.50 Senior Planner from Low/Moderate Income Housing Fund to Building Fee Program	0.00	0	76,714
• Employee One-Time Total Compensation Reduction Restoration		383,323	395,385
• Notice of Determination Fees reallocated to Depositor's Fund		(300,000)	(300,000)
• Non-personal/equipment reduction to align with actual expenditures		(158,222)	(158,222)
• Diridon Station Area Plan staffing continuation		130,000	0
• Habitat Conservation Plan continuation		130,000	130,000
• Vacancy rate adjustment		120,045	111,249
• Changes in professional development program		(9,700)	(9,700)
• Changes in vehicle maintenance and operations costs		12,100	19,000
<b>Technical Adjustments Subtotal:</b>	<b>5.00</b>	<b>2,708,203</b>	<b>2,910,928</b>
<b>2011-2012 Forecast Base Budget:</b>	<b>198.50</b>	<b>28,965,336</b>	<b>26,199,309</b>

# Planning, Building and Code Enforcement Department

## Budget Reconciliation

(2010-2011 Adopted to 2011-2012 Adopted)

Budget Proposals Approved	Positions	All Funds (\$)	General Fund (\$)
1. Planning, Building and Code Enforcement Department Employee Total Compensation Reduction		(2,251,604)	(1,990,258)
2. General Code Enforcement Program	(5.00)	(586,725)	(586,725)
3. Development Services Public Information Staffing	(2.00)	(238,484)	(238,484)
4. Fleet Services Staffing		(11,000)	(11,000)
5. Building Fee Program	10.50	1,477,156	1,328,293
6. Planning, Building and Code Enforcement Department Annual Retirement Contribution		1,093,424	984,576
7. Tobacco Retailer Program	2.00	249,385	249,385
8. Planning, Building and Code Enforcement Department Unemployment Contribution		230,496	207,951
9. Alameda Urban Village Master Plan and Zoning Revisions		150,000	150,000
10. Code Enforcement Fee Programs	0.00	148,893	148,893
11. ESD Treatment Plant Capital Staffing	1.00	129,583	0
12. Sign Ordinance Planner	1.00	129,000	129,000
13. Medical Marijuana Regulatory Program	1.00	125,931	125,931
14. Development Services - Speed of Business	1.00	107,295	107,295
15. Planning Fee Program	0.75	91,488	91,488
16. Alum Rock Main Street District Rezoning		35,410	35,410
17. Envision 2040 General Plan Update Staffing	4.50	0	0
18. Rebudget: Development Services		372,500	372,500
19. Rebudget: Bay Area Air Quality Management District Risk Reduction Plan		18,500	18,500
<b>Total Budget Proposals Approved</b>	<b>14.75</b>	<b>1,271,248</b>	<b>1,122,755</b>
<b>2011-2012 Adopted Budget Total</b>	<b>213.25</b>	<b>30,236,584</b>	<b>27,322,064</b>

# Planning, Building and Code Enforcement Department

## Budget Changes By Department

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Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
1. Planning, Building and Code Enforcement Department Employee Total Compensation Reduction		(2,251,604)	(1,990,258)

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### **Community and Economic Development CSA**

*Development Plan Review & Building Construction Inspection*

*Long Range Land Use Planning*

*Strategic Support*

### **Neighborhood Services CSA**

*Community Code Enforcement*

As directed at the November 18, 2010, 2011-2012 Organizational and Budget Planning Special Council Meeting, the City Council approved direction for labor negotiations to achieve a 10% ongoing total employee compensation reduction for all bargaining groups and to roll back any general wage increases received in 2010-2011. Direction was also included to pursue City Auditor's recommendations for healthcare cost containment including increased cost sharing, increased co-pays, reduced health and dental in-lieu costs, and elimination of dual coverage.

For 2011-2012, agreements to achieve these compensation reductions were approved by the City Council on March 22, 2011, for the San Jose Fire Fighters, IAFF, Local 230, on April 19, 2011 for AEA, AMSP and CAMP, on May 31, 2011 for ALP and ABMEI, and on June 14, 2011 for the POA. Approval for compensation changes for Unit 99 and Units 81/82 also occurred on April 19, 2011. On May 31, 2011, the City Council approved the implementation of terms contained in the City's Last, Best, and Final Offers for the remaining bargaining groups (CEO, IBEW, MEF, and OE3).

The compensation reduction actions, which vary by employee group, include: base pay reductions, reversing the additional employee contributions to retirement to offset the City's contributions, healthcare cost sharing changes (from 90% City/10% employee to 85% City/15% employee), healthcare plan design changes including increased co-pays, changes in healthcare in lieu and elimination of dual coverage. The specific actions are described in each bargaining unit's agreement, as applicable, with the City that can be found at: <http://www.sanjoseca.gov/employeerelations/labor.asp>.

These total compensation reductions generate Base Budget savings of \$74.5 million in all funds and \$58.5 million in the General Fund (including fee programs), offset by annual required retirement contributions of \$23.6 million in all funds and \$18.9 million in the General Fund, result in total net savings of \$50.9 million in all funds and \$39.6 million in the General Fund. With these compensation reductions, decreases to overhead (\$3.9 million) and other reimbursements were also approved in this budget. In the Planning, Building and Code Enforcement Department, the General Fund savings total \$1,990,258 as reflected in this document. (Ongoing savings: \$2,251,604)

**Performance Results:** N/A

# Planning, Building and Code Enforcement Department

## Budget Changes By Department

Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
2. General Code Enforcement Program	(5.00)	(586,725)	(586,725)

### **Neighborhood Services CSA** *Community Code Enforcement*

This action eliminates 5.0 Code Enforcement positions consisting of the following adjustments which will impact the level of service throughout the City of San José.

- **Strong Neighborhoods Initiative Driveway Team:** Eliminates the Strong Neighborhoods Initiative (SNI) Driveway Team of 3.0 Code Enforcement Inspectors and 1.0 Code Enforcement Inspector Supervisor currently reimbursed by the San Jose Redevelopment Agency (SJRA). The approved eliminations, necessary due to SJRA's current financial situation and projections for the next several years, will result in the loss of proactive inspection in the SNI areas to identify and eliminate blight. Inspectors will no longer attend Neighborhood Action Committee meetings. The elimination of the Code Enforcement Inspector Supervisor will also result in a 20% increase in the span of control for remaining Code Enforcement supervisors.
- **City-wide Code Enforcement:** Eliminates 1.0 General Code Enforcement Inspector, and eliminates 1.0 Code Enforcement Inspector for the Neglected and Vacant Housing Program effective July 2012. This action brings the number of city-wide Code Enforcement Inspectors supported by the General Fund to 4.75. In addition to the 7.0 positions offset by Solid Waste Enforcement fees, this maintains approximately one Code Enforcement Inspector per Council District. These Code Enforcement Inspectors will investigate and respond to complaints that pose an imminent threat to life and/or property within 24 to 72 hours. A new service delivery model will be implemented effective July 2011 whereby courtesy/warning letters will substitute for field inspections in response to "neighborhood quality" complaints. Proactive enforcement and weekend services will cease.
- **Building Code Compliance:** Reallocates 1.0 Code Enforcement Inspector from City-wide Code Enforcement to Building Code Compliance to research, inspect, and follow-up on unsafe and unpermitted work done on buildings as part of a new Building Code Compliance program. Hundreds of complaints are received each year regarding unsafe and unpermitted work done on buildings. Ongoing reductions have limited the capacity of inspectors to follow up consistently on complaints if the customer refuses to comply with necessary remediations. This program will charge for inspector time investigating, researching, and inspecting their structure to ensure it meets the building codes required to maintain a safe city. Should the program not be successful, the position will be reallocated to the General Code program, and building code complaints will be prioritized as outlined above.

(Ongoing savings: \$700,984)

### **Performance Results:**

**Cycle Time, Customer Satisfaction:** *Emergency* (immediate threat to life and/or property) and *Priority* complaints will continue to receive field inspection services within 24 and 72 hours, respectively. For *Routine* (neighborhood livability) complaints, violators will receive a warning letter and the complaining party will be sent a postcard and asked to report back to Code Enforcement after 60 days whether the condition still exists or has been corrected. If the violation has not been corrected, Code Enforcement will perform an inspection as workload allows. Weekend inspection services will be discontinued.



# Planning, Building and Code Enforcement Department

## Budget Changes By Department

Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
3. Development Services Public Information Staffing	(2.00)	(238,484)	(238,484)

**Community and Economic Development CSA**

*Development Plan Review and Building Construction Inspection  
Long Range Land Use Planning*

This action eliminates 2.0 General Fund Planner II positions that assist with general inquiries in the Permit Center and on the Planning telephone line. This reduction will result in longer wait times for general inquiries regarding zoning districts, allowable uses, permit processes, etc. While much of this information is available on the Department's website, customer demand for direct staff interaction has continued. To respond to this need, remaining Planners will provide free general inquiry assistance of up to 15 minutes. For Planning general inquiries that require more than 15 minutes, PBCE will offer an opportunity to schedule additional staff time in 15 minute increments on a fee recovery basis. This will provide customers with access to staff for those in need of more direct staff assistance, and ensure some level of cost recovery for this service. (Ongoing savings: \$237,896)

**Performance Results:**

**Cycle Time, Customer Satisfaction** Customers who require general inquiry assistance will experience longer wait times. For Planning general inquiries that require more than 15 minutes of staff time, customers may use the self-help computers in the Permit Center to look up information on the Planning website or pay a fee for additional staff time.

4. Fleet Services Staffing	(11,000)	(11,000)
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**Community and Economic Development CSA**

*Development Plan Review and Building Construction Inspection*

**Neighborhood Services CSA**

*Community Code Enforcement*

This action reduces the Planning, Building and Code Enforcement Department non-personal/equipment funding for vehicle maintenance and operations as a result of approved reductions in the Public Works Department. This includes the elimination of two positions (1.0 Mechanic, 1.0 Senior Office Specialist). The elimination of the Mechanic position will result in the lengthening of build-up time for new vehicles (light installation, communication equipment, and decal application). The elimination of the Senior Office Specialist position will result in delays in response times to work order inquiries. (Ongoing savings: \$11,000)

**Performance Results:**

**Cycle Time, Customer Satisfaction** This action reduces the Public Works Department's capacity to perform new vehicle build-up, causing longer wait times for vehicles to be ready for service. In addition, response times to work order inquiries may also increase.

# Planning, Building and Code Enforcement Department

## Budget Changes By Department

Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
5. Building Fee Program	10.50	1,477,156	1,328,293

### **Community and Economic Development CSA**

#### *Development Plan Review & Building Construction Inspection*

This action balances Building Fee Program revenues and expenditures projected at \$16.5 million, improving service levels with no fee increases, due to expenditure adjustments and employee concessions.

- **Enhanced Expedited Plan Review Line:** Makes permanent 4.5 temporary positions added in 2010-2011 for a third Express Review line: 1.0 Associate Engineer, 1.0 Building Inspector, 0.50 Planner II PT, 1.0 Principal Permit Specialist, and 1.0 Senior Permit Specialist. In addition to the Residential and Commercial project lines, this third line allows the Building Fee Program to process larger and more complicated projects on an expedited timeline. (\$536,000)
- **Second Special Tenant Improvement/Industrial Tool Installation Line:** Makes permanent 5.0 positions added in 2010-2011 for a second Special Tenant Improvement/Industrial Tool Installation (STI/ITI) line, as directed in the City Council approved Mayor's March Budget Message for 2011-2012: 1.0 Associate Architect, 2.0 Building Inspector, 1.0 Planner II, 1.0 Senior Permit Specialist. The STI/ITI line provides expedited plan review services for businesses and industries that desire to expand their facilities, upgrade manufacturing capabilities, or relocate to San José. (\$662,000)
- **Development Services Project Manager/Expediter:** Makes permanent the Development Services Project Manager/Expediter, as directed in the City Council approved Mayor's March Budget Message for 2011-2012. This position serves as a single point of contact for key economic development projects going through the development process, and works with the Development Services partners to accelerate processing schedules. The position addition and funding of \$139,000 is located in the Office of Economic Development City Departments section.
- **Permit Center Staffing:** Adds 1.0 Permit Center Program Manager position (previously eliminated in November 2009) to coordinate and oversee daily operations in the Development Services Permit Center. This position restoration is necessary due to increased demand with the addition of the third Express Line and second STI/ITI line. (\$128,000)
- **Funding Reallocations:** Shifts 0.45 Senior Engineer position to the Building Fee Program and portions (1.34) of positions to Construction and Demolition Diversion Deposit (CDDD) program funding. The Senior Engineer was previously reimbursed by the San Jose Redevelopment Agency in the General Fund. The CDDD positions will be funded by the Integrated Waste Management Fund as they provide service to customers related to the City's CDDD program while staffing the Permit Center and conducting inspections in the field. (\$1,000)
- **Wireless Inspections:** Allocates non-personal/equipment funding for consultant services, hardware, and software to provide wireless technology to process Building inspection results from the field. Real-time, online inspection results will enhance service delivery to customers, reduce processing time, and streamline coordination among Development Services partners. (\$150,000)

(Ongoing costs: \$1,341,358)

### **Performance Results:**

**Cost** This action will improve service levels, while ensuring the Building Fee Program attains a 100% ratio of fee revenue to program costs. **Cycle Time** These resources will enable Building to meet performance targets for inspections scheduled within 24 hours; 100% of scheduled inspections completed within 48 hours; and 85% of building plan checks completed within committed project cycle times.

# Planning, Building and Code Enforcement Department

## Budget Changes By Department

Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
6. Planning, Building and Code Enforcement Department Annual Retirement Contribution		1,093,424	984,576

**Community and Economic Development CSA**

*Development Plan Review & Building Construction Inspection*

*Long Range Land Use Planning*

*Strategic Support*

**Neighborhood Services CSA**

*Community Code Enforcement*

This action increases the Planning, Building and Code Enforcement Department personal services allocation as a result of the adoption of changes by the Federated Retirement Board (Board) to the policy determining the City's share of the annual required contribution to the Federated City Employees' Retirement System (Plan). To ensure the fiscal health of the Plan, the Board adopted a policy setting the annual required contribution to be the greater of the dollar amount reported in the actuarial valuation (adjusted for interest based on the time of the contributions) or the dollar amount determined by applying the percent of payroll contribution reported in the actuarial valuation to the actual payroll for the fiscal year. Due to the contraction in City positions approved as part of the 2011-2012 Adopted Budget, with this adopted contribution methodology, the City is required to pay a minimum dollar amount regardless of the actual payroll experienced to ensure that the Plan is funded in accordance with the annual actuarial valuation. To cover these costs, total Plan contributions of \$108.4 million in all City funds and \$54.5 million in the General Fund, assuming a July 1 pre-payment, is required to be made in 2011-2012. (Ongoing costs: \$1,093,424)

**Performance Results:** N/A

7. Tobacco Retailer Program	2.00	249,385	249,385
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**Neighborhood Services CSA**

*Community Code Enforcement*

This action establishes a new fully cost recovery Tobacco Retailer enforcement program as directed by the City Council (December 14, 2010 Council Meeting), through the addition of 2.0 Code Enforcement Inspectors, shifting existing funding for 0.21 Code Enforcement Supervisor from the General Fund and other fee programs, and establishment of a Tobacco Retailer License fee. This new program, modeled after the Off-Sale Alcohol program, will allocate Code Enforcement Inspectors to review license applications, conduct initial site inspections, and conduct additional compliance inspections to verify compliance with the regulations. There are over 850 tobacco retail establishments subject to regulations that will pay an annual Tobacco Retail License Fee of \$437. (Ongoing costs: \$253,201)

**Performance Results:**

**Cycle Time** This action provides necessary resources to review all license applications and conduct inspections on 100% of the 855 Tobacco Retailers in the program's first year.

# Planning, Building and Code Enforcement Department

## Budget Changes By Department

Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
8. Planning, Building and Code Enforcement Department Unemployment Contribution		230,496	207,951

**Community and Economic Development CSA**

*Development Plan Review & Building Construction Inspection*

*Long Range Land Use Planning*

*Strategic Support*

**Neighborhood Services CSA**

*Community Code Enforcement*

This action increases the Planning, Building and Code Enforcement Department personal services allocation to ensure sufficient funding to the Unemployment Insurance Fund for projected unemployment insurance claims. Based on potential claims from employee separation from service and the approved federal extension of unemployment benefits up to a total of 99 weeks, an increase to the unemployment contribution was approved. To cover these costs, the total transfer of \$11.2 million across all City funds and \$8.1 million in the General Fund to the Unemployment Insurance Fund was approved. (Ongoing costs: \$0)

**Performance Results:** N/A

9. Alameda Urban Village Master Plan and Zoning Revisions		150,000	150,000
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**Community and Economic Development CSA**

*Long Range Land Use Planning*

This action increases the Planning, Building and Code Enforcement Department personal services allocation to recognize grant funding from the Valley Transportation Authority (VTA) for development of the Alameda Urban Village Master Plan and Zoning revisions. This project is part of the process to implement the Urban Village growth strategy in the proposed Envision San José 2040 General Plan and the funds will provide for a temporary planning position. (Ongoing costs: \$0)

**Performance Results:**

**Customer Satisfaction** This action, supported by grant revenue, will provide resources to implement a portion of the Urban Village growth strategy as proposed in the Envision San José 2040 General Plan.

# Planning, Building and Code Enforcement Department

## Budget Changes By Department

Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
<b>10. Code Enforcement Fee Programs</b>	<b>0.00</b>	<b>148,893</b>	<b>148,893</b>

***Neighborhood Services CSA***  
*Community Code Enforcement*

This action eliminates 1.0 Secretary, reallocates portions of various positions (0.63) from the General Fund to the Multiple Housing Occupancy and Solid Waste Enforcement Fee programs, and increases non-personal/equipment expenses for technology systems, offset by Multiple Housing Occupancy Permit and Solid Waste Enforcement fees. The elimination of the Secretary that supports the Deputy Director of Code Enforcement offsets a portion of the fund shifts. The position's general administrative tasks will be absorbed by the Department's Administrative Assistant, other support staff, and the Deputy Director. The position reallocations will more accurately align funding sources with work performed for these administrative, management, and supervisory functions. The conversion of inspection modules from an outdated database to the AMANDA permitting system will eliminate the need to input, store, and query duplicate property record, owner, and address information in two separate systems.

In addition, this action adds 1.0 Code Enforcement Inspector to the Solid Waste Enforcement Fee Program. The position, offset by revenue from Solid Waste Enforcement Fees, will respond to complaints such as accumulation of garbage in a residence, inadequate garbage services, storage of junk visible from the public right-of-way, and any other condition that poses an immediate threat to life and/or property. (Ongoing costs: \$151,021)

**Performance Results:**

**Cost** Fee adjustments will maintain 100% cost recovery levels and assume employee concession savings: Multiple Housing Occupancy Permit (4% increase), Off-Sale Alcohol Enforcement (3.4% increase), Solid Waste Enforcement (no change), and decreases to other miscellaneous code fees.

<b>11. ESD Treatment Plant Capital</b>	<b>1.00</b>	<b>129,583</b>	<b>0</b>
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***Community and Economic Development CSA***  
*Development Plan Review & Building Construction Inspection*

This action provides funding for 1.0 Planner II position through June 30, 2013 to support the implementation of the recommendations in the recently completed Plant Master Plan. The position will provide environmental review of the proposed alternatives for the California Environmental Quality Act/National Environmental Protection Agency (CEQA/NEPA) process, develop the Environmental Impact Report/Environmental Impact Statement (EIR/EIS), work with consultants to ensure the EIR meets legal standards, provide direction on City Policy throughout the process, coordinate with regulatory agencies, and support other CEQA efforts for the Plant. The funding for this position is included in the Water Pollution Control Plant Program as part of the 2012-2016 Adopted Capital Improvement Program. (Ongoing costs: \$129,583)

**Performance Results:**

**Quality, Cost** This action will support the implementation of the recommendations in the Plant Master Plan.

# Planning, Building and Code Enforcement Department

## Budget Changes By Department

Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
<p><b>12. Sign Ordinance Planner</b></p> <p><i>Community and Economic Development CSA</i> <i>Long Range Land Use Planning</i></p> <p>This action provides funding for 1.0 Planner II position through June 30, 2012 to work exclusively on the revision to San José's 1992 Sign Ordinance and complete the revision for City Council review in fall/winter 2011, and then on other ordinances of highest priority to the City Council. (Ongoing costs: \$0)</p> <p><b>Performance Results:</b> <i>Quality, Customer Satisfaction</i> This action will support the revision of the Sign Ordinance as well as other ordinances of highest priority to City Council.</p>	1.00	129,000	129,000
<p><b>13. Medical Marijuana Regulatory Program</b></p> <p><i>Neighborhood Services CSA</i> <i>Community Code Enforcement</i></p> <p>This action increases the Planning, Building and Code Enforcement Department personal services allocation for 1.0 Code Enforcement Inspector through June 30, 2012 to support the collection and implementation of the Marijuana Business Tax, administer the application process for medical marijuana establishments to register with the City, and sustain the Medical Marijuana Regulatory Program as outlined in the San José Municipal Code. These resources, fully supported by tax revenue, will provide code enforcement for the Medical Marijuana Regulatory Program. (Ongoing costs: \$0)</p> <p><b>Performance Results:</b> <i>Quality, Cost</i> This allocation will allow for the establishment of a Medical Marijuana Regulatory Program, fully supported by tax revenue.</p>	1.00	125,931	125,931
<p><b>14. Development Services – Speed of Business</b></p> <p><i>Community and Economic Development CSA</i> <i>Development Plan Review &amp; Building Construction Inspection</i></p> <p>This action adds 1.0 Senior Permit Specialist position to assist in the facilitation of the issuance of Fire Permits and to perform back office work such as processing permit resubmittals, and responding to Public Records Act information requests and permit fee requests. This position will also provide additional capacity for the Building Fee program to process walk-in permit applications in a timelier manner. This position will be funded using Fire and Building Fee Reserves. (Ongoing costs: \$107,295)</p> <p><b>Performance Results:</b> <i>Cycle Time, Customer Satisfaction</i> This action will provide customers with a more timely response, decreasing wait times and ensure back office work is done in a more timely manner.</p>	1.00	107,295	107,295

# Planning, Building and Code Enforcement Department

## Budget Changes By Department

Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
<b>15. Planning Fee Program</b>	<b>0.75</b>	<b>91,488</b>	<b>91,488</b>

***Community and Economic Development CSA***

*Development Plan Review & Building Construction Inspection*

This action balances Planning Fee Program revenues and expenditures projected at \$2.5 million with no fee increases, due to expenditure adjustments and employee concessions.

- **Planning Staffing Reallocation:** Eliminates 1.0 Planner II and creates a 0.75 Planner II PT, generating Planning Fee savings to help bring the program within cost-recovery levels. (-\$37,000)
- **Mitigation Monitoring:** Eliminates a 0.50 Senior Planner and adds 1.0 Senior Planner to staff Mitigation Monitoring. From July-October, the Senior Planner will support both the General Plan Update completion (described elsewhere in this section) and the Planning Fee program (0.50). Beginning November 2011, the position will fully support the Planning Fee program, expanding Planning's capacity to review and track permits that require Mitigation Monitoring and complete an environmental review required by the California Environmental Quality Act (CEQA). The position will be offset by additional revenue as applicants subject to these measures will be charged at the Planning hourly rate. (\$59,000)
- **Expedited Coordinated Review:** This action allocates funding equivalent to 0.50 Planner II to continue piloting an Expedited Coordinated Review (ECR) process for Planning permits through January 2012. This pilot, initiated in late April 2011, used existing funding to retool the Planning review of smaller permits in a shorter cycle time. Based on the success of the pilot, additional Planning permits may be added to the Expedited Coordinated Review program. Modeled after the Special Tenant Improvement program, the goal is to implement process improvements that benefit both participating projects in Expedited Coordinated Review and other works in progress within the Planning Fee Program. (\$69,000)

(Ongoing costs: \$47,794)

**Performance Results:**

**Cost** This action aligns resources with revenue in the Planning Fee Program ensuring a 100% ratio of fee revenue to program costs. **Cycle Time, Customer Satisfaction** Expedited Coordinated Review customers will experience shorter cycle times for submitted Planning applications.

<b>16. Alum Rock Main Street District Rezoning</b>	<b>35,410</b>	<b>35,410</b>
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***Community and Economic Development CSA***

*Development Plan Review & Building Construction Inspection*

This action increases the Planning, Building and Code Enforcement Department personal services allocation (\$25,000) and non-personal/equipment allocation (\$10,410) to recognize grant funding from the Valley Transportation Authority (VTA) for implementation of the Alum Rock Main Street District Rezoning. This project is part of the process to implement the growth strategy of the proposed Envision San José 2040 General Plan and the funds will provide for temporary staffing and non-personal/equipment funding for noticing and survey work. (Ongoing costs: \$0)

**Performance Results:**

**Cost** This action, supported by grant revenue, will provide resources to implement the Alum Rock Main Street District Rezoning as proposed in the Envision San José 2040 General Plan.

# Planning, Building and Code Enforcement Department

## Budget Changes By Department

Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
<b>17. Envision 2040 General Plan Update Staffing</b>	4.50	0	0

***Community and Economic Development CSA***  
*Long Range Land Use Planning*

This action continues 4.5 limit-dated positions through October 2011 to complete the Envision San José 2040 General Plan Update: 1.0 Geographic Systems Specialist II, 2.0 Planner II, and 1.5 Senior Planner. Staff is concluding the public engagement and Task Force process, incorporating input from the public into the final documents. The Council is expected to consider the Envision San José 2040 General Plan and its Draft Environmental Impact Report (EIR) in October 2011. The part-time position will be retained after October to staff mitigation monitoring, as described in the Planning Fee Program action above. These positions are funded by the existing Comprehensive General Plan Update allocation, as discussed in the City-Wide Expenses section of this document. (Ongoing costs: \$0)

**Performance Results:**

**Quality** These additional resources will allow for completion of the Envision San José 2040 General Plan Update as directed by the City Council.

<b>18. Rebudget: Development Services</b>	<b>372,500</b>	<b>372,500</b>
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***Community and Economic Development CSA***  
*Development Plan Review & Building Construction Inspection*

This action rebudgets unexpended 2010-2011 non-personal/equipment funds for the following projects:

- Technology Database Upgrade (\$198,000): These funds will provide for the implementation of the Alfresco software (formerly the FileNet Upgrade), providing record retention capabilities to the City for the storage, retrieval, and maintenance of vital City-wide records.
- Information Technology Noticing Software and Consulting Services (\$104,500): These funds will provide for consulting services and associated software to provide staff and customers with a reliable, accurate, and user-friendly system.
- Imaging Technology Maintenance and Consulting (\$50,000): These funds will provide for hardware expenses such as new printers, scanners, and associated consulting expenses due to the implementation of the Alfresco software.
- Imaging Temporary Services (\$20,000): These funds will provide for the conversion of existing electronic documents into the appropriate file format required by the new software.

(Ongoing costs: \$0)

**Performance Results:** N/A (Final Budget Modification)



# Planning, Building and Code Enforcement Department

## Budget Changes By Department








Adopted Budget Changes	Positions	All Funds (\$)	General Fund (\$)
19. Rebudget: Bay Area Air Quality Management District Risk Reduction Plan		18,500	18,500
<i>Community and Economic Development CSA Development Plan Review &amp; Building Construction Inspection</i>			
This action rebudgets unexpended 2010-2011 personal services funds for staff support to work on the revised scope of work with the Bay Area Air Quality Management District. (Ongoing costs: \$0)			
<b>Performance Results:</b> N/A (Final Budget Modification)			
<b>2011-2012 Adopted Budget Changes Total</b>	<b>14.75</b>	<b>1,271,248</b>	<b>1,122,755</b>

# Planning, Building and Code Enforcement Department

## Performance Summary

### Community Code Enforcement

#### Performance Measures

	2009-2010 Actual	2010-2011 Target	2010-2011 Estimated	2011-2012 Target
 % of neighborhoods in "good" or better condition, based on a city-wide survey*	67%	71%	67%	70%
 % of violations resolved through voluntary compliance, based on complexity of case types	96%	93%	93%	95%
 Cost per violation for: - proactive enforcement**	\$93	\$85	\$47	\$25
- complaint-based enforcement	\$701	\$700	\$599	\$550
 % of violations resolved within estimated processing standards, based on type and complexity of violations	68%	65%	67%	65%
 % of annual fee-based inspections completed on schedule, including multi-year programs	87%	84%	97%	85%
 % of residents who feel their neighborhood is in the same or better condition compared to previous year (annual Code Enforcement survey)***	88%	84%	88%	85%
 % of customers who feel they received courteous treatment and timely service from their interaction with Code Enforcement staff****	84%	86%	86%	85%

*Changes to Performance Measures from 2010-2011 Adopted Budget: No*

\* Data for this measure comes from the December 2009 Community Survey conducted by the City Manager's Office.

\*\* Proactive code enforcement services refer here to Multiple Housing Occupancy inspections, the Abandoned Cart and Off-Sale Alcohol programs, CDBG/Housing, and the Driveway Team. The Driveway Team is eliminated in this budget.

\*\*\* Data for this measure comes from the November 2010 Code Enforcement Customer Service Survey.

# Planning, Building and Code Enforcement Department

## Performance Summary

### Community Code Enforcement (Cont'd.)

#### Activity and Workload Highlights

	2009-2010 Actual	2010-2011 Forecast	2010-2011 Estimated	2011-2012 Forecast
Staff hours devoted to outreach/education/ prevention	3,120	3,120	3,120	3,120
# of multiple housing dwelling units proactively inspected	13,914	13,000	19,692	13,000
# of proactive parcel inspections (Driveway Team)	24,589	11,000	24,969	0*
# of proactive violations identified and resolved (Driveway Team)	2,131	1,500	1,775	0*
Neighborhood Clean-Ups	21	23	23	23
# of proactive cases (Driveway Team):				
Opened	5,066	2,700	2,211	0*
Resolved	5,969	3,300	2,039	0*
General Code Compliance Cases:				
Opened	9,006	8,500	6,701	7,000
Resolved	8,812	8,500	7,328	7,200
Multiple Housing Complaint Cases:				
Opened	627	650	713	650
Resolved	616	700	720	700
% of Violations Resolved:				
Warning	81.4%	80%	73%	75%
Citation	3.8%	5%	5%	5%
Compliance Order	14.5%	14%	20%	19%
Appeals Hearing Board/Litigation	0.3%	1%	2%	1%

*Changes to Activity & Workload Highlights from 2010-2011 Adopted Budget: No*






\* The Driveway Team was eliminated as part of the 2011-2012 Adopted Budget.

# Planning, Building and Code Enforcement Department

## Performance Summary

### Development Plan Review & Building Construction Inspection

#### Performance Measures

	2009-2010 Actual	2010-2011 Target	2010-2011 Estimated	2011-2012 Target
 % of projects that receive thorough, complete and consistent processing in the first cycle of the staff review process:				
Planning Permit Process	N/A*	70%	N/A*	70%
Building Plan Check Process	N/A*	90%	N/A*	90%
Building Inspection Process	N/A*	90%	N/A*	90%
 Ratio of current year fee revenue to development fee program cost	100%	100%	100%	100%
 Development projects completed within processing time targets:				
Planning Permit Process	55%	65%	56%	80%
Building Plan Check Process	76%	78%	87%	80%
Building Inspection Process				
- within 24 hours	49%	75%	76%	75%
- within 48 hours	68%	100%	91%	100%
 % of process participants rating service "good" or better				
Planning Permit Process	60%	65%	64%	80%
Building Plan Check Process	71%	76%	75%	80%
Building Inspection Process	80%	83%	82%	80%
 % of residents surveyed who rate the quality of architecture and landscape design/maintenance in new development in their neighborhood as good or better	N/A**	75%	N/A**	75%

*Changes to Performance Measures from 2010-2011 Adopted Budget: No*

\* Reductions have reduced capacity for quality control, with supervisors and staff focusing on front line service delivery. See Community and Economic Development CSA Overview for customer survey data on consistent, clear, and understandable comments during project review.

\*\* This annual survey was previously conducted in the spring. Staffing reductions have limited the Department's ability to conduct the survey. This performance measure will be revisited for possible deletion given staff capacity limitations.

#### Activity and Workload Highlights

	2009-2010 Actual	2010-2011 Forecast	2010-2011 Estimated	2011-2012 Forecast
# of building permits issued	20,849	20,500	23,982	20,500
# of customers served in Permit Center	29,637	28,000	27,833	28,000
# of plan checks	5,049	4,800	5,327	4,800
# of field inspections	86,825	100,000	93,139	100,000
# of planning applications				
- Major	283	180	256	240
- Minor	453	400	420	400
# of planning adjustments	999	1,000	1,061	1,000




*Changes to Activity & Workload Highlights from 2010-2011 Adopted Budget: No*

# Planning, Building and Code Enforcement Department

## Performance Summary

### Long Range Land Use Planning

#### Performance Measures

	2009-2010 Actual	2010-2011 Target	2010-2011 Estimated	2011-2012 Target
 % of special planning efforts completed within targeted cost: Specific/Area Policy Plans:	100%	100%	100%	100%
 % of special planning efforts completed within targeted time: Specific/Area Policy Plans:	100%	100%	100%**	100%
 % of planning process participants rating service as "good" or "excellent"	86%	85%	N/A*	85%

*Changes to Performance Measures from 2010-2011 Adopted Budget: No*

\* The survey for 2010-2011 will be conducted in the fourth quarter of 2010-2011.

#### Activity and Workload Highlights

	2009-2010 Actual	2010-2011 Forecast	2010-2011 Estimated	2011-2012 Forecast
# of Scheduled/Completed Specific/Area Policy Plans	2 of 2	3 of 3	0 of 2**	3 of 3
# of planning policy studies	0 of 0	0 of 0	0 of 0	0 of 0
# of General Plan Amendments	17***	4	21***	6****

*Changes to Activity & Workload Highlights from 2010-2011 Adopted Budget: No*

\*\* The City Council extended the Envision 2040 General Plan Update and Diridon Station Area Plan timeframes into 2011-2012.

\*\*\* 12 General Plan amendments were approved in Fall 2010; one General Plan amendment was approved in June 2011; four Envision 2040 Requests were resolved by July 2011; four Envision Requests are scheduled for Council action and possible incorporation into the Envision 2040 Plan by the end of calendar year 2011.

\*\*\*\* Six General Plan amendments recommended for City Council approval for incorporation into the 2040 Envision Plan by the end of calendar year 2011; no General Plan hearing scheduled for the Spring of 2012.

# Planning, Building and Code Enforcement Department

## Departmental Position Detail

Position	2010-2011 Adopted	2011-2012 Adopted	Change
Accounting Technician	2.00	2.00	-
Administrative Assistant	1.00	1.00	-
Administrative Officer	1.00	1.00	-
Analyst II	3.00	3.00	-
Assistant Director of Planning, Bldg and Code Enforcement	1.00	1.00	-
Associate Architect	1.00	1.00	-
Associate Engineer	8.00	8.00	-
Building Combination Inspector (Cert.)	38.00	38.00	-
Building Inspection Manager	2.00	2.00	-
Code Enforcement Inspector I/II	47.00	45.00	(2.00)
Code Enforcement Supervisor	5.00	4.00	(1.00)
Deputy Director, Code Enforcement	1.00	1.00	-
Deputy Director, Unclassified	1.00	1.00	-
Director of Planning, Building and Code Enforcement	1.00	1.00	-
Division Manager	6.00	6.00	-
Environmental Inspector II	4.00	4.00	-
Geographic Systems Specialist II	2.00	2.00	-
Information Systems Analyst	0.00	1.00	1.00
Network Technician II	1.00	1.00	-
Office Specialist II	1.00	1.00	-
Planner I/II	15.50	13.00	(2.50)
Planner I/II PT	0.00	1.25	1.25
Planning Technician	1.00	1.00	-
Principal Office Specialist	2.00	2.00	-
Principal Permit Specialist	4.00	4.00	-
Principal Planner	3.00	2.00	(1.00)
Program Manager	0.00	1.00	1.00
Regional Park Aide PT	8.00	8.00	-
Secretary	1.00	0.00	(1.00)
Senior Account Clerk	1.00	1.00	-
Senior Analyst	2.00	2.00	-
Senior Engineer	4.00	4.00	-
Senior Office Specialist	16.00	16.00	-
Senior Permit Specialist	7.00	8.00	1.00
Senior Planner	6.00	8.00	2.00
Senior Planner PT	0.50	0.00	(0.50)
Senior Supervisor, Administration	3.00	3.00	-
Senior Systems Application Programmer	0.00	2.00	2.00
Staff Technician	1.00	1.00	-
Supervising Applications Analyst	0.00	1.00	1.00
Supervising Building Inspector (Cert.)	8.00	8.00	-
Supervising Environmental Services Specialist	1.00	1.00	-
Supervisor, Administration	1.00	1.00	-
Systems Applications Programmer II	0.00	1.00	1.00
<b>Total Positions</b>	<b>211.00</b>	<b>213.25</b>	<b>2.25</b>