



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: March 23, 2012

FROM: John McDonough, City Manager

AGENDA ITEM: Reconsideration of Site Development Inspection Staffing Enhancement pursuant to Section 2.15 of the Sandy Springs Charter

MEETING DATE: For Submission onto the April 3, 2012, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Agenda Item Materials from 3/20/12

APPROVAL BY CITY MANAGER: JFM APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 4/3/2012

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: SM

REMARKS:



TO: John McDonough, City Manager

FROM: Michael Casey, City Clerk

DATE: March 23, 2012, for Submission onto the April 3, 2012, City Council Regular Meeting Agenda

ITEM: Reconsideration of Site Development Inspection Staffing Enhancement pursuant to Section 2.15 of the Sandy Springs Charter

Discussion:

At the March 20, 2012, Regular City Council meeting, the Council considered agenda item 12-075, *Site Development Inspection Staffing Enhancement*. This agenda item was approved at the March 20th meeting by a vote of 4 to 1. On March 23, 2012, the Mayor notified the City Clerk of her intention to veto this action of Council and submit a written statement of the reasons for the veto to the Council. Pursuant to Section 2.15 of the City Charter, an action vetoed by the Mayor shall automatically be on the agenda at the next regular meeting of the City Council for reconsideration.

Attachment: Agenda Item Materials from Agenda Item No. 12-075, heard at the March 20, 2012, City Council Meeting

*City
Clerk*



VETO MESSAGE, AGENDA ITEM No. 12-075

Site Development Inspection Staffing Enhancement

I hereby veto Council's action to expend \$17,146 to add part-time arborist/landscape architect positions to the Community Development work staff for the purpose of doing pre-inspections. I am taking this action as chief executive officer of the City of Sandy Springs in order to safeguard the taxpayers. The amount for the remainder of this fiscal year is \$17,146, which would translate to \$68,584 for the next fiscal year. Although Council discussed doing this on a trial basis, it is common knowledge that once a personnel expense is embedded in a payroll it is extremely difficult to extract it. In the work session it was suggested that this initiative be evaluated at the May budget sessions. Since there will have been at most a month and a half of experience, it is not reasonable to expect that an evaluation could be meaningful.

This Council action represents "personnel creep" which I do not find necessary for the reasons presented below. While the amount that is requested for this fiscal year is available in "Contingency," any funds remaining in "Contingency" at the end of the fiscal year represent additional revenue that can be used to improve the City's infrastructure, with lasting effects for the citizens of this City.

1. The added personnel does not emanate from a request by the Department. Neither the Department, nor the city Manager, has indicated to the Council their inability to perform its work in the absence of more personnel. This action is purely an initiative by Council to determine staffing levels, which is not the function of the Council. In fact, the Director of Community Development reported to Council that the permitting process is moving to a system whereby all the parties including the developers meet together before submitting plans. This is to forestall problems before they happen. As noted in the March 6th Council meeting minutes, the Director of Community Development described the recent practice of instituting Thursday meetings "that now include discussing projects that are being proposed, before the design has been done...The meetings have become popular in getting everyone together to discuss what staff is looking for on each particular site plan." She continued "There is a growing desire of applicants wanting to meet with the City prior to submitting plans."

Thus the Department is already addressing the problems about which the Council has voiced concerns, and the Department is doing so with current employees, and has not asked for additional employees. We should allow this process to proceed before we add employees and spend taxpayer money.

*Office of
the Mayor*

2. There has been some perception that Sandy Springs permitting is cumbersome and not business friendly. This is not the time to add another step to the permitting process that would lengthen the process. None of the surrounding municipalities requires a pre-inspection before the permit is issued. Thus imposing this on Sandy Springs may make us less competitive.
3. Adding personnel by Council initiative supersedes the normal process whereby the City Manager, who is supposed to be closest to the administrative and day to day activities of the Departments, would initiate a request for more staffing.
4. The normal process of processing permits that involve land disturbance requires the submission of a tree survey, and a site plan that includes grading to be done. A site visit to confirm this information implies that the submissions are not correct. It implies that the developers who come to us are not honest. I am not willing to make this assumption. If the submission is incomplete, staff has the authority to require corrected submissions before a land disturbance permit is granted. Staff has the authority to define the necessary information to be submitted before the issuance of a permit, and to hold a conference with the developer when he comes in for the permit.

While occasionally you do have bulldozer operators who violate what was permitted, a pre- inspection would not prevent them.

5. We have no history of recent violations of our tree ordinance as a result of land disturbance. At the beginning of our history as a City we did experience egregious violations that resulted in severe fines. As a result of this firm enforcement, Sandy Springs has become known as a jurisdiction where we take the tree ordinance seriously.
6. I have seen no evidence to suggest that our beautiful tree canopy has diminished. Indeed as part of my duty of Mayor I often escort visitors around our fair City. Their constant amazement is expressed to me at the forests that cover our area. We are truly blessed.
7. Council has described its action as a “policy change.” However, this is not a policy change. Our policies are expressed in ordinances, such as the tree ordinance, and the development rules. How these ordinances are carried out is procedure and implementation by staff. The effort by Council to call its action to require a pre-inspection as a “policy change” is semantics that masquerades a change in procedure as a policy. I cannot accept that.

*Office of
the Mayor*

TO: Mayor and City Council

FROM: John McDonough, City Manager

DATE: March 7, 2012 for Submission on the March 20, 2012 Council Meeting Agenda

ITEM: Site Development Inspection Staffing Enhancement

Background

On March 6, 2012, the City Council directed staff to proceed with a task order amendment to provide additional staff capacity to conduct a pre-development site inspection as a part of the plan review process that focuses on incorporation of best practices for both residential and commercial projects.

Discussion

A pre permit site inspection constitutes a field review that the Community Development Department does not currently conduct. The focus of this site inspection is to provide input during the plan development process that results in a more environmentally sensitive project. As the current project submittal level is 15 to 20 new projects per week, initiation of this new site inspection will require an additional three days (24 hours) of staff capacity per week. This estimate is to provide a pre-permit field review at current levels of development; an increase in development activity will result in the need for additional staff capacity. The table below provides a summary of the anticipated cost of this enhancement.

Recommendation

Staff recommends the award of an additional Task Order with 0.6 FTEs for the period of March 12, 2012 to June 30, 2012. The total cost of the new Task Order is \$17,146. The funds requested will cover the expanded scope of services through the end of FY2012 and will be taken from the Transition Contingency budget. During the FY2013 Budget process, the staff will evaluate the additional work and provide a recommendation on the need for continuing the service.

Through The End of Contract Term

March 12, 2012 – June 30, 2012

Arborist/Landscape Architect	FTE	Hours	Burdened Rate	Price
15 weeks @ 24 hrs/wk = 360	0.6	360	47.63	\$17,146

Attachment

1. Task Order

**CITY OF SANDY SPRINGS
GENERAL GOVERNMENT SERVICES
TASK ORDER**

Title:	Community Development	Task Order Number:	CD-FY12-01
Applicable CLIN:	0007, 0008	Issue Date:	10/4/2011
Period of Performance:	July 1, 2011 – June 30, 2012		
Requirements (SOW Reference):	WBS 14.0 – WBS 16.0 ¹		
Workload			
<i>Item and Quantity</i>			
Planning and Zoning (WBS 14.0) – Zoning Administration (WBS 14.1)			
Administer City Zoning Ordinance, review and recommend revisions and updates as needed. The City Zoning Ordinance can be found at http://www.sandyspringsga.org/City-Government/Adopted-Ordinances/Zoning-Ordinances.aspx			
Applications Review (WBS 14.2)			
Approximately 195 total permit applications processed per month			
Approximately 4 variance requests processed per month			
Comprehensive Planning (WBS 14.3)			
Maintain City Comprehensive Plan and draft updates as needed. The City Comprehensive Plan can be found at http://www.sandyspringsga.org/City-Government/Comprehensive-Plan.aspx			
Administrative and Sign Permitting (WBS 14.4)			
Approximately 10-25 administrative permit reviews per month, completed within 10 business days			
Approximately 1 temporary sign permit reviews per month, completed within 5 business days			
Approximately 1 permanent sign permit reviews per month, completed within 5 business days			
Economic Development (WBS 14.5)			
Recruit business, assist in economic development initiatives, develop statistical data on economic indicators and provide to outside entities, prepare materials to assist in attracting economic development and maintain communications with governmental entities as required.			
Administer an average of \$555,000 annually through the City's allocation of CDBG funds.			
Building and Development (WBS 15.0)			
Revenue generated in Building and Development fees for the past 3 fiscal years ² is: \$1,919,225 in 2008, \$789,521 in 2009, and \$628,669 in 2010 ³ . Fees for fiscal year 2011 through December 31, 2010 are \$369,641. The current schedule of Building and Development fees as adopted by the City are attached to this Task Order as Attachment 2.			

¹ WBS references are to the General Government Services Statement of Work (SOW) attached to this Task Order as Attachment 1.

² The City's fiscal year is July 1 to June 30.

³ Fees were reduced by 50% for calendar year 2010 as an economic development incentive. Please note that this incentive expired 12/31/10; therefore, the amount of \$628,669 shown for fiscal year 2010 represents 6 months of Building and Development fees at the regular fee rates and 6 months of Building and Development fees at the reduced fee rates.

Workload		
<i>Item and Quantity</i>		
Permitting (WBS 15.1)		
Approximately 30 commercial building permits issued per month		
Approximately 62 residential building permits issued per month		
Approximately 3 rezoning permits issued per month		
Plan Review (WBS 15.2)		
Approximately 32 zoning plan reviews completed per month		
Approximately 198 Building and Development plan reviews per month		
Building Inspection (WBS 15.3)		
Approximately 500-800 building inspections performed per month		
Approximately 43 certificates of occupancy issued per month		
Land Development Management (WBS 15.4)		
Approximately 209 land development inspections performed per month		
Approximately 41 land development plans reviewed and processed per month		
Code Enforcement (WBS 16.0)		
Approximately 143 code enforcement cases per month		
Approximately 391 sign removals in the right-of-way per month		
Approximately 35 other sign removals per month for code violations		
Approximately 87 notices of violation for property maintenance issued per month		
Approximately 64 notices of violation for zoning issued per month		
Approximately 2 multi-family dwelling code enforcement sweeps per month		
Approximately 350 potential code violation inspections per month		
Average of 50-60 code violation cases assigned per code enforcement officer		
Average of 45 cases of code violations adjudicated per month		
Approximately 82 code violation cases resolved per month through voluntary compliance		
Average of 31 business days required for case resolution through voluntary compliance		
Approximately 8 cases resolved per month through forced compliance		
Average of 49 business days required for case resolution through forced compliance		
Total case resolution of 80% within the fiscal year of case initiation		
Deliverables		
In addition to the specific data item descriptions below, for all WBS elements under Community Development, the Contractor shall be required to produce documents including, but not limited to, reports, correspondence in all forms (written, e-mail, etc.), plans and updates, as required in the ordinary course of business or as directed by the City Manager.		
<i>Data Item Description</i>	<i>Data Item Number</i>	<i>Submission Frequency</i>
Planning and Zoning (WBS 14.0) – Zoning Administration (WBS 14.1)		
Performance Report	DI-COSS-GS-004	Monthly
Comprehensive Land Use Report	DI-COSS-GS-033	Annually
Application Review (WBS 14.2)		
Performance Report	DI-COSS-GS-004	Monthly

Deliverables		
<i>Data Item Description</i>	<i>Data Item Number</i>	<i>Submission Frequency</i>
Comprehensive Planning (WBS 14.3)		
Performance Report	DI-COSS-GS-004	Monthly
Administrative and Sign Permitting (WBS 14.4)		
Performance Report	DI-COSS-GS-004	Monthly
Economic Development (WBS 14.5)		
Performance Report	DI-COSS-GS-004	Monthly
CDBG Programmatic and Financial Progress Report	DI-COSS-GS-035	Monthly
Building and Development (WBS 15.0) – Permitting (WBS 15.1)		
Performance Report	DI-COSS-GS-004	Monthly
Pending Permit Application Report	DI-COSS-GS-034	Monthly
Plan Review (WBS 15.2)		
Performance Report	DI-COSS-GS-004	Monthly
Building Inspection (WBS 15.3)		
Performance Report	DI-COSS-GS-004	Monthly
Land Development Management (WBS 15.4)		
Performance Report	DI-COSS-GS-004	Monthly
Code Enforcement (WBS 16.0)		
Performance Report	DI-COSS-GS-004	Monthly
Performance Metrics <i>(completed by Offeror)</i>		
<p>Contract Management:</p> <ul style="list-style-type: none"> • Respond to City management and administrative staff requests within 2 hours • Respond to internal GGS inquiries within 24 hours • 100% timely response to emergency directives within specified time period • All reports to City provided according to Task Order schedule • Account for GGS contract property at a rate-of-loss less than the dollar amount identified in City inventory • 95% achievement of yearly staff training goals • 100% re-certification and license renewal of professional staff • Conformance to company’s Safety and Health Plan policies to manage to Case Incident Rate of 0% <p>Customer Satisfaction:</p> <ul style="list-style-type: none"> • Customer satisfaction with prompt, courteous service to the public • Respond to public calls within 24 hours during normal working hours • Gather information from ‘Customer Satisfaction and Suggestion Surveys’ by close of each month and present formal report within 7 days • Awards received • Letters, emails, and phone calls of appreciation, as well as concerns 		

<p>Community Development:</p> <ul style="list-style-type: none"> • Monthly statistics to compare to Task Order estimates for numbers of permits issued, plans reviewed, inspections performed, occupancy certificates issued, land development inspections performed, land development plans reviewed and processed, and code enforcement actions. • Fee revenue by type generated by Building and Development • Applications, reviews, and violations processed and given to supervisor for QC within 1-day of milestone requiring less than 5% rework (Internal metric) • Inspections performed within 24 hours of receipt of request 90% of time, and within 48 hours 100% of time • Inspection requests entered into on-line schedule same day as request receipt 100% of time • Results of inspection entered into schedule within 24 hours of completion 100% of time • Review, permit, and application milestones met 95% of time • Permitting services, development review, and enforcement to conform 100% to all applicable building, zoning, development environmental codes and ordinances. • High-quality, graphically engaging, clearly written public information products related Community Development activities that meet all deadlines • High expressed customer satisfaction with planning products and presentations • Number of meetings per month, approximate attendance figures, feedback from participants • Public meetings to conform to Open Meetings Act 100% of time • Notice of public meetings published on website 7-days from meeting 95% of time 		
Special Considerations		
Key personnel:	<i>Name(s) and position(s) completed by Offeror</i>	
City-Furnished Property:	All office supplies, furniture, fixtures, equipment, motor vehicles, and computer hardware and software will be provided by the City.	
Travel:	A cost reimbursable item, as approved by the City pursuant to CLIN 0007 of the General Government Services Base Contract.	
Special Considerations		
Training:	A cost reimbursable item, as approved by the City pursuant to CLIN 0008 of the General Government Services Base Contract. For purposes of this Task Order, the Contractor shall include in its cost calculations the amount of \$62,250 for training.	
Other:	Other cost reimbursable items, as approved by the City pursuant to CLIN 0008 of the General Government Services Base Contract.	
Building and Development Percentage of Fees:	Insert proposed percentage of fees ⁴ to be retained for Building and Development portion of the Community Development Work Package (WBS 15.0), pursuant to paragraphs L.8.9.2.2 and L.8.9.4.2 of Section L. In a percentage of fees based proposal for Community Development, Offeror should propose labor categories needed to perform services under Building and Development; however, labor category price for labor	Percentage of fees to be retained by Offeror: _____ 0 %

⁴ See schedule of applicable Building and Development fees attached to this Task Order as Attachment 2.

	categories supported by Building and Development percentage of fees retained should be \$0.		
Level of Effort and Fixed Price <i>(completed by Offeror)</i>			
Contract Labor Categories	FTE	FBR⁵	Labor Category Price
Arborist/Landscape Architect	0.60	\$ 47.63	\$ 17,146
		Premium for overtime and shift differential	\$ 0
Total FTE:		0.60	Total Fixed Price: \$ 17,146
Base Fee (if any) for Building and Development Component of Community Development Work Package as a Percentage of Fees:			\$ 0.00
Total Fixed Price and Base Fee (if any):			\$ 17,146
Issued to:		The Collaborative	
City of Sandy Springs Approval:		<i>Authorized signature</i>	
Date:			
Attest:			

⁵ See Section B.5 of the Base Contract for not to exceed fully burdened labor rates.

**ATTACHMENT 1
TO COMMUNITY DEVELOPMENT
TASK ORDER**

STATEMENT OF WORK

**ATTACHMENT 2
TO COMMUNITY DEVELOPMENT
TASK ORDER**

SCHEDULE OF APPLICABLE BUILDING AND DEVELOPMENT FEES

BUILDING PERMIT FEES		
Permit Fees		
ADMINISTRATIVE FEE	\$25 for all new permit applications submitted	
	Building permits will be calculated based on the two tables below	
	Use	Valuation per square foot (or otherwise noted)
BUILDING VALUATION	Dwellings	\$40
	Private Garages	\$15
	Patio Cover, Deck, Balcony	\$10
	Enclosed Patio, Sunroom, Screened Room	\$15
	Shed Storage Building	\$15
	Apartment Houses	\$45
	Auction Room, Dance Center, Exhibit Room, Courtrooms, Public Building, Stadium, Auditorium	\$60
	Banks	\$70
	Bowling Alleys	\$40
	Churches	\$50
	Fences (value per linear foot)	
	3' to 7' in height	\$1
	Over 7' in height	\$2
	Fire Stations, Police Stations	\$50
	Homes for the elderly	\$54
	Hospitals	\$85
	Hotels and Motels	\$50
	Industrial Plants	\$30
	Jails	\$70
	Libraries	\$53
	Offices, Medical Offices	\$50
	Pools (value per square foot)	\$20
	Public Garages	\$25
	Restaurants, Drinking Establishments	\$60
	Retaining Wall (value per linear foot)	
	8' or less in height	\$10
More than 8' in height	\$20	
Schools	\$50	

BUILDING VALUATION	Use	Valuation per square foot (or otherwise noted)
	Service Stations	\$40
	Stores/Shopping Centers	\$35
	Warehouses, Mini Storage, Maintenance Buildings	\$20
	Signs (valuation per square foot) Wall mounted	\$50
	Free-standing	\$100
Tenant Improvements Additions: Major: 40% of the original Tenant Building Area Valuation Minor: 20% of the original Tenant Building Area Valuation Additions to dwelling unit fees shall be based on 50% of the valuation table when said addition area does not exceed 50%		
The following valuation shall be used for electrical, mechanical, plumbing, and building permits in which square footage is not an applicable determinant to calculate building valuation: <i>a. Total job cost based on valuation up to and including \$5,000 will incur minimum permit fee of \$50</i> <i>b. Total job cost based on valuation that exceeds \$5,000 will incur \$50 minimum permit fee plus \$5.00 for each additional \$1,000 or fraction thereof</i>		
PERMIT FEES BASED ON VALUATIONS	Total Valuation	Fee
	\$1 to \$500	\$23.50
	\$501 to \$2,000	\$23.50 for the first \$500 plus \$3.50 for each additional \$100, or fraction thereof, to and including \$2,000
	\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
	\$25,001 to \$50,000	\$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000
	\$50,000 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000

General Government Services Task Order
Community Development

PERMIT FEES BASED ON VALUATIONS	Total Valuation	Fee
	\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000
	\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
	\$1,000,000.01 and up	\$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000, or fraction thereof
OTHER FEES	Permit or Fee Type	Fee
	Fence or retaining wall site plan review	\$100 per review
	Minor Site Review Fee	\$100
	Minor Permit Fee (includes site review)	\$100
	ARC/MRPA River Corridor Certificate Application	\$250 for a single lot, made payable to the Atlanta Regional Commission (ARC) OR the amount specified in the Rules and Regulations, Section IV.A of the Metropolitan River Protection Act. (ARC payments must be in the form of a cashier's check or money order)
	Inspections outside of normal business hours	\$75/hour (min. 2 hours)
	Reinspection fees	\$50/per inspection trip
	Residential or commercial site plan review	\$350
	Mobile Home and Utility Set-up	\$90
	Demolition Permit	\$100
	Final Certificate of Occupancy	\$50
	Temporary, conditional and partial certificate of occupancy AND for each 30-day extension	\$200
	Utility Reconnect Inspection Fee	\$25
	Architectural Review Fee	50% of base permit fee
Building Permit Re-submittal review <i>(assessed for the second and subsequent re-submittal of plans)</i>	\$200	

DEVELOPMENT PERMIT FEES		
Review Fees		
CONCEPT PLANS	Use	Cost Per Unit
	Residential	\$350 plus \$5 per lot
	Commercial	\$350 plus \$5 per acre
EXCAVATING AND GRADING PERMIT	Residential	\$200
	Commercial	\$200
LAND DISTURBANCE PERMIT	Residential	\$350 plus \$20 per lot <i>Additional review fee of \$200 assessed for the second and subsequent re-submittal of plans</i>
	Commercial	\$350 plus \$20 per acre <i>Additional review fee of \$200 assessed for the second and subsequent re-submittal of plans</i>
FINAL PLAT	\$350 plus \$5 per lot	
MINOR SUBDIVISION	\$350 plus \$5 per lot	
Permit Fees		
CLEARING AND GRUBBING	\$350 administrative fee in addition to the applicable fees below	
LAND DEVELOPMENT	Inspection	Cost Per Unit
	Road Vert. & Sect.	\$16 per linear foot
	Curb and Gutter	\$6.50 per linear foot
	Base and Paving	\$25 per linear foot
	Commercial Driveway	\$0.75 per square foot
	Storm Drainage	\$20 per linear foot
	Wastewater	\$22 per linear foot
	Water Main	\$16 per linear foot
	Sidewalk	\$2 per square foot
	Administrative Fee of \$25	
	Erosion Control	Cost Per Unit
	Residential	\$200 per lot
	Other	\$700 per acre
	Permit Fees	Cost Per Unit
	Street Name Markers/Intersection	\$75 per intersection
	Traffic Signs/Intersection	\$65 per intersection
	Land Disturbance Permit	Fee
	LDP	\$125

General Government Services Task Order
Community Development

Fees for Development Permits		
Valuation	Fee	
\$1 to \$5,000	\$300	
\$5,001 to \$20,000	\$300 for the first \$5,000 and \$150 for each additional \$1,000, or fraction thereof	
\$20,001 to \$100,000	\$2,250 for the first \$20,000 and \$100 for each additional \$1,000, or fraction thereof	
\$100,001 to \$250,000	\$10,550 for the first \$100,000 and \$50 for each additional \$1,000, or fraction thereof	
\$250,001 to \$500,000	\$18,050 for the first \$250,000 and \$25 for each additional \$1,000, or fraction thereof	
\$500,001 to \$1,000,000	\$24,300 for the first \$500,000 and \$15 for each additional \$1,000, or fraction thereof	
\$1,000,001 and up	\$31,800 for the first \$1,000,000 and \$10 for each additional \$1,000, or fraction thereof	
LAND DEVELOPMENT	Administrative Fee	\$25
	Application Fee	\$200
	Permit Inspection Fee	\$0.2663 per foot of wire or cable (including existing pipe), pipe, or miscellaneous installed – (minimum fee \$50.00)
	Water and Sewer (in right-of-way or on public property/easement)	\$425
UTILITY ENGINEERING PERMIT FEE		