

**City of Coral Gables City Commission Meeting
Agenda Item H-3
November 10, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick**

City Staff

**City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Assistant Development Services Director, Charles Wu
Building Director, Bill Miner**

Public Speaker(s)

Agenda Item H-3 [Start: 2:48:48 p.m.]

Update on Building Permit Focus Group Meeting Report

Mayor Cason: Let's move onto H-3. City Manager.

City Manager Swanson-Rivenbark: We have a presentation and we'll call forward Charles Wu and Bill Miner for the presentation.

Mr. Wu: For the record, Charles Wu, Assistant Development Services Director. We are here to report before you a building permit focus group we started in the summer and with all due credit, this started from Commissioner Lago having a conversation with Chamber of Commerce Mark Trowbridge. So it took several months for us to put together the logistics and we were fortunate to have the wonderful facilities of the Coral Gables Museum community room. As a backup, and

that occurred on May 21st and June 1st of this year, we have four focus groups; Group A, which was a restaurant and small business owners; Group B, developers, designers, and builders; Group C, realtors; and Group D, homeowners. And it was important to have those focus groups carved out because they bring specific topics to the table in the discussion regarding our building permit. There were a total of about 81 persons registered, 101 individuals stood up together for the four sessions, and 20 came in cars. I'm pleased to say we got very good feedback. I think at least two of the Commission members showed up to the sessions. That accumulates to 24 tasks of which we are proud to say 21 of them had been completed. And just to have some of the comments we got from them, in addition to the helpful criticism and suggestions, we had some positive comments. We have comments from an individual who said even though staff is understaffed they are always courteous and polite, help is always there, if requested by staff, staff is the best they've ever seen. Permit is kind of easy here and I think they are comparing the experience with elsewhere; and kudos to our Employee of the Month, Tony...he is great to have in this position, so that's recognized in the community. And its comments like that that's sprinkled throughout, we have the best permit desk; we, the Board of Architects is very helpful and actually someone volunteered to do some PR (public relations) for us, free update to learn about the process, very impressed with improvements in the past 20 years; and someone said, please let me know how I can help improve the perception of what we do. So those are a handful of the positive comments. In addition to that, we got some very helpful feedback. Again, we summarized it into three basic categories; one is communication information, and that is in your handout in the third exhibit, which is a pie chart showing conceptually what we broken down the tasks into. The main categories are, communication information; the same category is operation and performance; and the third is resources and technology. And here, I will turn it over to Building Director Bill Miner to highlight some of the tasks that we start accomplishing and the things we are looking forward in the future.

Mr. Miner: Good afternoon. This is intended to be a six-month report card. As Charles said, we had over 100 people attend that event. We received back just over 30 comment cards and we've kept the door open, our ears open to other recommendations since then, and we've broken them into those three main areas that I think are important. I'm going to talk about some of the early wins, some of the key wins in each one of those areas, and hopefully leave you with the

impression that we have made positive strides and improvements in the building/permitting apparatus, but there is still a lot to do. There is a long way to go and there are other things that we want to work with you to achieve. In the communication and coordination area, we knew that we were not getting information out to our customers in a clear and usable format and also, we were not developing sort of self-help technologies to allow them to do more themselves without coming in and interacting with us face-to-face. We felt that the best way to address that would be by further enhancements to our website, our permit based portion of our website has been completely revamped and allows a lot of individual activity starting applications, submitting documents, paying fees, asking questions directly and getting answers back through that Q&A system. Having the Ombudsman on board is a very important part of what came out of that session. Tony was with myself and Virginia Gouizuetta, Charles and Ramon Trias, taking in questions and ideas and sharing our information. So, I think having him as sort of a focal point for this activity was and continues to be very, very helpful to us. We had a lot of feedback that said, we'd like to know what would be the likely cost of the permit that we are about to have and that's a very difficult area because there are so many variations, the formulas are pretty complex and we touched upon the possibility of having sort of case studies, typical permits that have been issued for window or door replacement. Here's what we did on another project and this is the range of cost for that kind of activity and if your project is similar to that your cost would be similar to that, but the devil is in the details when you actually submit. So we are developing that as a way to sort of demystify the cost of the activity. Having your status of your project online has been there for a while, but the steps that are necessary to go through the website are pretty tedious and if you don't do it every day you don't really know how to do it and we have developed sort of flyers, instruction sheets online to allow people to show the screen shots on – press here and then you go there and then you put in this number and your information is there and here's how its coded so you can understand the status. More importantly, here's the next step for you or for us in order to move the project forward. We also heard that people wanted to be able to access property records themselves without having to come into our archive office. That's a very difficult one because there are privacy issues around property and property information; who owns it?- what's the history of the property?- what kinds of revisions have been there?- also

it would show floor plans of people's homes and their businesses and we haven't quite sorted out with IT what's the best way to do that.

Vice Mayor Quesada: What are the issues?

Mr. Wu: Confidential personnel that we need to make sure we can protect.

Vice Mayor Quesada: They are confidential.

Mr. Wu: Code Enforcement officers, according to state law.

Vice Mayor Quesada: According to state law its confidential that kind of information.

Mr. Wu: Well we should not be sharing information if their name is on the floor plan to the public.

Mayor Cason: The other thing about floor plans is a burglar is casing your house...

Vice Mayor Quesada: I don't know if I agree with that. Saying like a prosecutor, their address is public record and a defendant can be...well its an option, its an option.

City Attorney Leen: Its an option. It can be protected. It can be protected.

Vice Mayor Quesada: Sorry?

City Attorney Leen: Under 119, we can protect the prosecutors.

Vice Mayor Quesada: You could but its not, its an option that the prosecutor has to take, its not automatic.

City Attorney Leen: Well typically they're protected if we know they are a prosecutor, but they can fill something out with the County making the request.

Vice Mayor Quesada: Its not automatic because my wife and I did it in that regard. So I'm just curious, so floor plans are considered confidential information of private information. I guess I'm surprised, I've never heard that before. Is there a way that we can set up a system if the resident registers and they put in some sort of log-in and therefore they can access that information, is that...

Mr. Miner: That is all of what we are looking into. We want to give them access to them but we want to do it in a way that is secure. Yes, we've talked about inscription, we've talked about special codes, people have to verify their identity and things of that nature.

Vice Mayor Quesada: I think inscription will be a little too far. I don't think we need to get to that point, but as long as they verify, maybe they have to come in and register and say who they really are and then IT sets them up with a log-in, as well as they can put whatever password they want, similar to setting up an e-mail address, therefore they can access everything. I think it will relieve a lot of stress from staff and frustration for the resident.

Mr. Miner: Yes – absolutely. It was suggested by many people. Give us a little time to look into that with IT and with our legal...

Vice Mayor Quesada: It just caught my attention that floor plans were confidential. I just never would have thought that.

Mr. Miner: In the streamline and overall process category. We have twelve or more review offices and projects were going through those offices linearly – very, very long process as a result and we wanted to find a way to do more concurrent review, at least to have two bodies of information go through the system; and we know have a routine way of taking the documents and breaking them into sort of a design package and an engineering package and they go off in separate paths and get reviewed in half the time that they were, we think we can even do better in some cases, but this allows us to pick up the pace there. That's already in place.

Commissioner Lago: How's the feedback in reference to that because that was one of the major complaints, but that was one of the major concerns for the business community.

Mr. Miner: Feedback is great. Its difficult for staff, its difficult in our infrastructure to handle literally twice as much paper, keeping track of two different sets, collecting signatures from all the folks, whether the "A" side or the "B" side, but that's working out the mechanics. But we know the concurrent review is absolutely essential in order to achieving the kind of turnaround times that we want to achieve.

Commissioner Lago: What about – do you think we will benefit significantly when we finally implement the electronic plans review?

Mr. Miner: Yes – absolutely. That’s in the third category, I’ll talk about in a moment, but yes and we are going to pilot that on small projects, ones that may not have quite as many review offices, but why can’t our architects and engineers, our public works folks be looking at a monitor of the drawings and putting their comments in simultaneously so that we really may have just one review cycle going on or two review cycles going on at a time, but you have to have the right software and staff has to have the right infrastructure. We were also told to look at various checklists that exist, there are some at the county level. We’ve developed sort of a customized checklist, so that as we develop comments we sort of trick the EDEN system into giving us a laundry list of outstanding items that the applicant can go in online and annotate and respond to our comments, either accepting or rejecting or suggesting alternatives. That’s still in development and it looks like its going to be very promising. We have piloted our mobile permit service and this is sort of a grass roots effort to get out of the building and get on the road providing assistance in permitting, especially for those residents that have mobility challenges.

Commissioner Lago: Can we talk a little bit about the significance of that and the fact that I think that we are the first community to really implement that type of strategy.

Mr. Miner: It’s the first that I’ve ever heard of and it seems like a natural for what we do. We have staff that a very, very accustomed to going out and providing that information. One of our Code Enforcement Officers and one of our Plans Processors really push the idea and our Code Enforcement Officer, who was in the field was being asked to do just that, instead of writing a citation help me figure out how to do the paperwork and submit the plans so that I’m not fined so that I can comply with regulation.

Commissioner Lago: The individual, the employee that brought it to my attention was Dayron on the third floor and we sat down with the City Manager and we kind of flushed the idea to what you have right now, which is kind of in a testing period. Can you explain to the Commission what the scope, what the maximum scope would probably entail so that people don’t call and

say, hey, I want to build a building can you show him a house and provide that type of permit service.

Mr. Miner: In general terms and we've just given Madam City Manager a more detailed explanation to get her guidance, but in general terms the participants that we are going to start with are seniors, folks that have disabilities, or that have transportation limitations. For example, they have to look after a senior or they have to babysit and are not able to come in. Also folks that may have a little difficult time understanding the process and people that you might refer to us, people that Tony, the Ombudsman, might refer to us would be candidates. So its fairly open and we think that its going to grow in popularity. We've had six sort of road tests already, folks that fall into that category. The types of projects that we would want to begin with are the simpler, less complex projects. We don't want the program to get to the point where it interferes with the normal designer, builder, and owner relationship when a resident hires an architect or a builder part of their job is to apply for the building permit and fill out the paperwork and pay and answer questions from the Building Department, we don't want to disrupt that, but we do want to help them do all the business that they would do up on the third floor at the counter, perhaps do that at their kitchen table, and the significance is, we've learned shortly in these road tests that other opportunities pop up. While we are there, do I need a permit for this?- or did you realize that your roof needs work?- let's talk about how you might achieve that. I was looking at your case and you have three open permits, why don't we close those at the same time. So we are finding that there are some other residual benefits over and beyond just providing the accessibility to the permit counter.

City Manager Swanson-Rivenbark: And Commissioner Lago we have to give the shout-out to both Dayron Garcia and George Pino because they were the ones that came up with this idea, they wanted to see how it could work. We need to resource it to keep it going and make it successful, but its so awesome when employees come up with these new ideas that we had never thought of before and they have the commitment to follow through with them. We are really lucky.

Commissioner Lago: It was interesting because when Dayron came to see me, he was like, I have this idea and I said, that's one of the best ideas I've heard in a long time. He just wanted

someone to basically listen to him and be able to bring it forth as a potential opportunity. It serves two different types of groups. It serves the residents and obviously the business community, but I think it also serves the City, because the less people you have in this building taking time away from staff, looking for paperwork, trying to find documents, at least this way when you come to visit the person in their residence they are already aware of what they need. If it's a painting permit, you can notify them, you need to get this permit. The person coming to their home will be a notary from my understanding, from my understanding.

Mr. Miner: That's right.

Commissioner Lago: We are giving them all the resources to resolve the issue immediately, so they don't to make multiple trips to the City. That's going to set us apart from a lot of other municipalities, it represents what Coral Gables is all about, in my opinion.

Mr. Wu: If I can add a couple more things. The way how we are getting...is actually through a Code Enforcement case, either by an active case or a potential violation and the solution typically is why do you need a permit for that. As opposed to saying, go in City Hall and apply for a permit. We have a resource now that can become a team between Code Enforcement and Building.

Commissioner Lago: And a lot of those don't get resolved because a lot of elderly individuals, they feel very intimidated, coming to the third floor and they've got to deal with multiple departments, they've got to get different amounts of information and they feel intimidated and that's why a lot of them end up calling the Ombudsman, which before wasn't even in place, so imagine before the heartache they had to deal with.

Mr. Wu: So there is teamwork between the two divisions and one thing I wanted to add is that we wanted consideration for the McFarlane neighborhood, because if there are situations where we need to improve on the community, we need to possibly provide the resources to reach out to that community and say, how can we help you from a grassroots point of view. So that's something for consideration and we are going to share that with the City Manager down the line.

Commissioner Keon: Why do permits have to be notarized?

Mr. Miner: To prove ownership and to prove that the contractor is duly certified to perform the work.

Mr. Wu: I'm told its Florida Statutes, but I'll have to double-check.

Commissioner Keon: I don't know any reason why you would have to do that. If somebody – you can look up who the owner of a particular property is.

City Manager Swanson-Rivenbark: But Commissioner, the City Clerk has notaries in their office. We make it very easy, but prove of identification that you are the owner, that you have the right to enter into this application is an important step that City's have in their permit documents.

Vice Mayor Quesada: The legal reason is perjury.

Commissioner Keon: Don't we have a...

Vice Mayor Quesada: Hold on a second, let me finish now. There is a federal statute that allows us not to use a notary stamp, we can use what's called a declaration and I can send it to Craig, if he's never heard of it, to make it easier for staff and for the applicants, we can put that language in there for the declaration it serves, it has the same exact effect that a notary has. So if we don't want to trouble people to do the stamp, we have to put that language, and the language will say in big bold letters, **UNDER PENALTY OF PERJURY I CERTIFY THAT EVERYTHING CONTAINED IN HERE IS TRUE AND CORRECT.**

Commissioner Keon: I would rather do that then.

Commissioner Lago: Let me explain. No, you need a stamp, let me tell you why you need a stamp, because you have a licensed individual that's signing a document and sometimes signs that document not in front of you. For example, as a licensed contractor, an attorney, as an engineer, as a realtor, someone signing a document that says they are going to be performing some sort of representation or some sort of service, that document is usually brought by the owner to the City or by the contractor to pay, so you need some proof that says, this document

was signed by an official person who holds that license or is the owner of some sort of property and they are basically certifying that.

Commissioner Keon: Right – but isn't that the same thing that's what you are saying under perjury?

Vice Mayor Quesada: Yes, same thing

Commissioner Keon: It's the same thing.

City Attorney Leen: People will sometimes say things under penalty of perjury which are not true though and they may not be intentionally not true. They maybe the tenant instead of the owner or they may think that they have the authority of the owner. The thing about a notary is it does actually require you to go to someone and show your identification and confirm, because ultimately our goal is to have the correct person.

Commissioner Keon: I know but to have your house painted?

Commissioner Lago: Yes, of course you have to.

Commissioner Keon: You have to go to....to get your house painted?

City Attorney Leen: We provide the notary.

Mr. Miner: We provide it free of charge.

Commissioner Lago: But let me explain to you. The purpose of this, Commissioner, it doesn't get any easier than this, I mean how much easier do you want it? The person who is coming to your residence is a notary, so all you've got to do is to show them your license and they'll stamp the document for you. I mean it doesn't get any easier than that. You don't even have to have any document signed. She'll literally bring you the paper or he, you'll sign it, he'll stamp it, because obviously he witnessed that you signed it, you show him your I.D. and that's it. I think it doesn't get any easier than that.

Commissioner Keon: I mean its fine. I really...

City Attorney Leen: There has been limited circumstances where someone is out of the town or out of the country and maybe if they have an attorney who is subject to the requirements of the Bar or very limited circumstances we've taken other security or other approval, but that has been the practice, it would require the Commission to change that, if you wanted to change that.

Mayor Cason: Why don't you conclude, we have a couple of other things that we want to do as well.

Mr. Miner: Everything is on the table and yes, there are some things we are asking to be notarized that probably don't need to be notarized and those we will sort of remove that requirement.

Commissioner Keon: Maybe you could look at all those things that need to be notarized and other things that don't need to be notarized you can remove.

Mr. Miner: We talked earlier about a walk-through program that's probably going to become a walk around program, because its hard to get everybody in the room at one time. The point is to expedite three types of permits; one is storefronts that have to do with the Miracle Mile development, we want to be able to do that very, very quickly. Also signage, which we think is very low threat, especially in terms of public safety and solar PV because of a strong push in our sustainable design master plan. We also looked at reducing the types of permits we need in certain areas. A lot of our zoning permits have been eliminated, especially for small items such as fences, awnings, and so forth. We have followed up on your recommendations to have a minimum permit fee of \$25...

Commissioner Keon: Thank you.

Mr. Miner:...all inclusive of any construction under \$500...

Commissioner Keon: Thank you.

Mr. Miner:...and we are figuring out...source, it means less paperwork, it means a better image as well; and we have a program to help seniors who have expired permits so that they are less punitive and providing more assistance and reducing the fines associated with that. The Victims

Assistance Program has had two victims come forward and request a waiver of their permit fees, which we've done in accordance with that; and in the third category, I'm happy to report that despite the fact that we did lose a key person to the City Manager's office, our Ombudsman, we have filled all of our fulltime positions, all three of them, two at the permit counter, one plans processor and that plans processor will be the spearhead of our mobile program. We also have put in place three private providers, peer reviewers, private sector, professional support firms that have three different roles. One helps us in the mechanical plumbing, a sort of supplemental staff when people are out sick or on vacation. One is focused on structural engineering, Mr. Mayor as you pointed out, structural engineering was a key area, a cog in the wheel, if you will, and having an outside firm that we can call and get assistance when we are overwhelmed...

Commissioner Keon: Is that with plan review?

Mr. Miner: That's plan review and inspection, yes ma'am.

Commissioner Keon: And inspections?

Mr. Miner: Yes.

Commissioner Keon: OK. I know I have spoken to the City Manager at length about issues with regard to the plan review and inspection for structural issues, because I've had a couple of issues that have come up where they had been inspected in the past and when the architect and engineer on the job looked at them, they didn't want to proceed with the next step in the building because they didn't believe that the inspection was adequate and it was not built properly and it was really the engineers and the architects on the job that raised concern with our inspectors passing things that should not have been passed, and those are structural issues that you don't find until after a building has been built that you have issues with settling and cracks and whatever everything else. So, I know that we were talking about it, we were hoping that – and I think the building plan review people that you have are very diligent and I think sometimes that's a problem because people complain that it takes too long, but they are very, very good and very deliberate. So I hope that whoever you have is deliberate, but I hope your inspectors inspect according to the plans and not just take a look at it and think it looks OK. I wish you would go back and have that conversation.

Mr. Miner: And those are – the third category is the firm that is going to help us for the very large threshold projects of the scale of Mediterranean Village, which would totally consume the Building Department if we had to do that ourselves, and we are starting to work with the designers of record on that. Also, we strongly encourage the use of private providers and peer reviewers at the owner’s expense – you help me buy making credit available, 30 percent credit for the use of a private provider, and ten percent credit if you use a peer reviewer in the structural area, that is very popular and that is very, very helpful and that’s why I’m happy to report that our queues in structural and in other disciplines are far lower than they were a year ago. We expect them to continue to go down. We spoke earlier about technology and the importance of technology. I do want to point out that in the last budget we’ve been able to get a lot of the infrastructure needs fulfilled. Virtually all of our inspectors have dual monitors, they have fast operating systems, and computers on their desktop. We’ve just received a load of what I call, tough tablets, which are tablets that go on the road, Windows based where you can do a lot of your processing and reporting in the field real-time and now we need to continue to search for software that can make the best use of that equipment. And finally, we did a great job, I think, of making really good use of, what I consider, the best space of City Hall, which is the third floor, and with the relocation of the Planning and Zoning office, we were able to spread out a little bit and tear down the walls, move the partitions out of the way, develop more collaborative space so that we can bring our customers in, sit them down at a conference table and a more professional relationship, open up the drawings and talk about what they are trying to do, and that was, in my opinion, being fairly new here was one of the real early needs in that department. So thank you for an opportunity to update you on this.

Mayor Cason: Thank you.

Commissioner Keon: Last Friday because of the Granada Golf Course opening, I had on a knit shirt that said, Commissioner, City of Coral Gables, so when I came back here to City Hall there was a woman that was coming from upstairs, she was coming down the stairs and I was walking out of my office and she stopped me and she said, Oh, you are a Commissioner?- and I said yes, and so she said she actually lives in Pinecrest, but she had a son that had moved here to the Gables and she was helping him with permits and whatever else, and she told me that there was a

young man upstairs at your permit desk in a blue shirt and somebody stopped me so I didn't make it back upstairs. She said was so professional and was so nice and so helpful, she couldn't say enough good things about...

Mr. Miner: It must have been me.

(Laughter)

Commissioner Keon: She really was very effusive in her praise of the permitting staff upstairs and said that she lives in a different City and was not so effusive in her praise for the City she lived in and she had recently gotten through some permitting process, but she was really nice, to stop me and make sure that I knew that what a good job you were doing upstairs.

Mr. Miner: There are a lot of good stars up there.

Commissioner Keon: Yes, how nice. Now in doing this and making all the improvements that you've made and I know we had talked about in the past looking at tools whereby we measure our progress. Do we have, after someone goes through the building process, do we have a form or something that they can fill out that asks about questions or some sort of an assessment?

Mr. Miner: Absolutely.

Commissioner Keon: Do we do that?

Mr. Miner: There is a comment card on the counter and on the website there is a fill-in-the-blank.

Commissioner Keon: Do we send out, if we have an e-mail from someone who has had a permit, do we send them a survey that says, like when you fly on one of the airlines they send you a survey, when you I don't know.

Mr. Miner: We don't, but we'll put that as a recommendation.

Commissioner Keon: Would you give that some thought whether we should send someone an e-mail and ask them to please rate our so we can begin to look at how effectively our customers

feel, the changes that we've made so its not just us evaluating ourselves, but our clients evaluating us too.

Mr. Miner: We'll do it.

Commissioner Keon: Thank you.

Commissioner Lago: Just to go off that. Basically, I think its been a year since we had those four symposiums...

Mr. Miner: Six months.

Commissioner Lago: I wanted to thank you, both of you, along with the City Manager for when I came to you and I spoke to you that I wanted to do these four events and really reach out to the individuals that deal with permitting on a daily basis, from the architects to the designers, to the engineers, to the end-users, to the developers. I have seen a complete turnaround from the people who touch the third floor on a daily basis. They all come to me and they've told me the process is completely simpler, the issue of phase permits which didn't exist before now exist, the issue of private providers getting a ten percent or a thirty percent, which other municipalities were doing and the City of Coral Gables wasn't, now exist. The fact that we can take care of a whole range of permit issues online and not even have to really come to the City is significant. So what we've learned from those focus groups that we had over the last year and the update that you are giving us today, is showing that I think we are really pushing in the right direction. I think what Dayron came up with, along with the other gentleman from Code Enforcement, if we are able to really implement that in home permitting process is going to really even raise the bar higher, because one of the things that I told you from the beginning and I know we've got to move on was, that Coral Gables has gotten a bad rap a long time for the permitting services and how difficult it was to do business in the City, and I want to make sure that I request from the City Manager that if we can implement on that weekly newsletter that we do, not the newsletter, excuse me, on the Herald, which Commissioner Slesnick implemented a few months ago, we should highlight all these changes that are going on in the permitting department, all these great things that we are doing so people understand the City of Coral Gables is not behind the curve, we are leading the

curve now in reference to the programs that we are implementing. So I wanted to commend you and your staff for doing a great job.

Mayor Cason: Great job.

Mr. Miner: Thank you for your support. Thank you very much.

Commissioner Keon: And thank you for starting it. You really have done a lot of work in suggesting these symposiums and going out and gathering the information and following up with staff and everybody else. So thank you.

Commissioner Lago: Its not me, it's the City Manager, its staff, its this Commission, Carmen has done a good job. I know that Commissioner Slesnick showed up, I think you showed up to one of the focus groups. This is a big deal because we had a black eye for some reason there is that stigma and we should highlight the fact that look at all the great things we are doing.

[End: 3:21:32 p.m.]