

**City of Las Vegas
Development Review Process
Efficiency Analysis**

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Chapter 1

Executive Summary

Unless the City of Las Vegas re-engineers the development review process, and the organizational culture surrounding it shifts from enforcement to customer enablement, it will not be competitive with the other Las Vegas Valley jurisdictions for land development growth.

The core responsibility of a city's building safety program is to create an efficient plans check, permitting and inspection *system* that results in safe buildings as defined by the adopted codes. Nothing, absolutely nothing, should relegate safety to a secondary position. However, caution must be exercised against any knee-jerk reaction by regulatory officials that safety and customer service are not compatible. What is needed is a sustainable equilibrium between safety and economic preservation. Furthermore, it is important not to confuse the narrow imperative of just improving the process for managing land development with the broader reality of competing for development opportunities.

Many steps are required in order for a customer to move through the City of Las Vegas' development review process (DRP). A myriad of planning, engineering, legal, public safety and administrative details must be dealt with before the customer has the right to use his/her property. The process is exceeding complex and difficult because it is surrounded by political, legal, economic and

public policy needs. Scores of documents must move back and forth amongst the customer and his/her representative, five department's staff, a variety of consultants, elected officials and other agencies. The purpose of this study is to identify ways in which the DRP can be changed or modified to operate more efficiently so that the development review documents can move through the City's decision-making process seamlessly.

A critical finding of the *Development Review Process Efficiency Analysis* was that most of what are generally called DRP "problems" exist on an intra-department basis rather than at the inter-department level. Put another way, the review of a plan, processing of a permit, or handling of an inspection meets with considerable success when isolated to the authority and responsibility of a distinct department. In this situation the customer generally receives knowledgeable attention from people who are willing to do what it takes to help them. But as each one of the departments and outside agencies responsible for development review enters the process, the likelihood of delay, misinformation, conflict and confusion increase significantly.

After meeting with scores of staff and members of the development community and first-hand examination of the DRP, it makes sense to define the strategic objectives of what the City's DRP should be if it is to become more efficient. The suggested strategic objectives are to:

1. Reduce the number of times a customer has to physically visit a City facility in the course of processing a development project;
2. Minimize the frequency of errors and misunderstandings that the customer and staff must react to during the process;
3. Increase the level of predictability and reliability of each step in the process; and,
4. Manage all of the above on the basis of time and cost.

Time is money and each of these strategic objectives, either standing alone or intertwined, affects the costs incurred by the customer, the city government and the general public during the DRP. The accomplishment of these strategic objectives will help in a very significant way to drive the much needed expansion of the City's economic base, and the many community assets that are associated with an expanding economy – jobs, services, environmental responsibility, government efficiency, educational and training opportunities, etc.

The DRP can become more efficient if three changes are made. They are:

1. Reduce the silo isolation between the departments responsible for development review; and,
2. Modify the organizational culture that surrounds the DRP; and,
3. Improve how the process works and flows.

Our experience has been that efficiency experts and competent staff can easily improve the processing flow of land development review activities. But reducing the silo isolation and effectively modifying the organizational culture requires a committed executive management effort in terms of knowledge, skill and time. Improving the City of Las Vegas' DRP process to the extent desired by the City Manager will require extreme commitment by the department directors who are responsible for the DRP. Delegating the responsibility for the necessary changes will not produce the desired results.

The actions suggested in Chapter 5 Plan of Action and the ninety-five recommendations discussed in Chapter 6 Findings and Recommendations, are intended to help make the DRP more efficient, customer oriented and able to successfully compete for future development opportunities.

The ninety-five findings summarized in the next section are explained in greater detail, accompanied with recommendations, in Chapter 6 Findings and Recommendations. This information is organized into four categories:

- Process and Process Management;
- Organizational Structure, Supervision and Management;
- Technology, Business Systems and Performance Measures; and,
- Organizational Culture.

Findings Summary

These findings are not listed in order of priority.

Process and process management

Finding No. 1 – There is no identifiable position responsible for tracking and moving an application or project through the DRP.

Finding No. 2 – Changes in policies, code interpretations and the way things are done are not always effectively communicated with the development community or other DRP staff on any sort of regular basis.

Finding No. 3 – The City's entitlement process with respect to Special Use Permits pushes the decision making process up to the council on an all too frequent basis.

Finding No. 4 – The plans check process is more sequential than concurrent.

Finding No. 5 – There is no single comprehensive desk manual that explains the DRP.

Finding No. 6 – The value of the bonds posted on some of the uncompleted projects is substantially less than the cost of the improvements necessary for completion.

Finding No. 7 – There is no consistency with respect to "calling in" bonds on projects that have not met their completion deadlines.

Finding No. 8 – Developers often claim to be unaware of the requirement to post a warranty bond for a completed project with public improvements.

Finding No. 9 – As the City's inventory of undeveloped land is reduced by new construction activities the development trend will shift to infill development and downtown projects.

Finding No. 10 – There has been no regular semi-annual or annual 360 review of the DRP.

Finding No. 11 – DRP managers are frustrated that the City Attorney's Office opinions on land use matters are inconsistent.

Finding No. 12– There is limited coordination between the DRP work units in the review of applications and plans.

Finding No. 13– The codes used by Business Licensing and the Planning and Development Department contain differences that impede customer service and waste staff's time.

Finding No. 14– Although generally available if one searches for it, information is not readily shared between development review departments.

Finding No. 15– Obtaining accurate information pertaining to some of the DRP activities, such as the number of plans required for a project, is sometimes difficult.

Finding No. 16– The Planning and Development Department annually re-inspects after issuance of the certificate of occupancy, for compliance with all requirements of Title 19 and all Conditions of Approval imposed by either City Council or the Planning Commission.

Finding No. 17– There is a concern in both the development community and among the DRP staff that the frequency of plan review and inspection inconsistencies is excessive and that inspectors almost always “trump” plan examiners.

Finding No. 18– The language in Title 19 allows for the applicant to appeal anything (when filed appropriately on the next council agenda) that the Planning and Development Department does in its review of an application.

Finding No. 19 Five separate inspections are required to close-out a project.

Finding No. 20– In the single family dwelling (SFD) tract permit process it is not unusual for an application to sit for weeks waiting for offsite inspection and testing (OIT) holds to be removed.

Finding No. 21– Lost or misplaced plans in the Development Review Center (usually caused by removing a set of plans from the bin and not appropriately noting it) waste a considerable amount of staff time and can result in an unnecessary cost for the customer.

Finding No. 22 – There are occasions when unique or complex decisions are made at the plan check level without appropriate input from the inspection staff.

Finding No. 23 – It is the policy of the Fire and Rescue Department not to send out inspectors if any building has only a partial pass or is not approved – even though the work for the Fire and Rescue Department's inspection is ready.

Finding No. 24 –There is a need to assure that the correct occupancy designation is assigned to each business in a structure, and that development reviews are not delayed waiting for business license approval.

Finding No. 25 – Plan review technicians have to perform a substantial amount of administrative paperwork after the customer enters their work area.

Finding No. 26 – When performing special projects for their supervisors, plan check technicians are frequently distracted by the public.

Finding No. 27– The level of dimensional information required for land use entitlements is significantly less than the engineering provided during the civil plan and permit review process.

Finding No. 28 – The intent of a condition imposed by the plan review staff from the different development departments is sometimes confusing to the customer.

Finding No. 29 – Although the Centennial Plan provides for relief from Title 19 requirements, only the Planning and Development Department distinguishes the downtown from the suburban areas of the City.

Finding No. 30 –The Planning and Development Department's occasional inclusion in the review of dry utility plans has resulted in the approval of plans not in conformance with the approved site plan or Title 19.

Finding No. 31 – Changes in business license applications that are not routed to Planning and Development have resulted in non-permitted uses being approved.

Finding No. 32 – Elected officials and their liaisons go to whomever they feel the most comfortable with in the DRP for answers to inquiries.

Finding No. 33 – The civil engineer pre-application submissions do not always receive a 360 degree review. For example, Planning and Development can miss requirements such as water pressure needs.

Finding No. 34 – A significant number of the findings and recommendations contained in the recent audit (CAO 0701-0910-0X) of the Case Planning Division by the City Auditor's Office relate to the DRP.

Finding No. 35 – There is insufficient coordination in the DRP of the first and follow-up review documents that are returned to the development customer.

Finding No. 36 –The customer has a difficult time working back and forth between the City's DRP staff and the outside agencies involved in the DRP. Among these agencies are Nevada Power, Southwest Gas and the U.S. Post Office.

Finding No. 37 – There are no formal timeline commitments between departments with respect to processing and review.

Finding No. 38 – The process used by Business Licensing to verify zoning when applying for a business license is cumbersome and costly.

Finding No. 39 – The most frequent complaint of the DRP customers involved in this efficiency analysis is the inconsistency between plan check and inspections with respect to plan review.

Finding No. 40 – The threshold of work definition in the fire sprinkler retrofit ordinance (13.3.2.3.5) basically requires the installation of an automatic fire sprinkler system within the entire building whenever "Alterations, renovations, tenant improvements, or any change in occupancy in any existing building..."

Finding No. 41 – It is in the City's best interest to actively assist property owners build out their uncompleted projects.

Finding No. 42 – There is no established forum for the development industry to interact with the DRP's senior management in a non-adversarial way.

Finding No. 43 – The "quality first" effort with respect to plans submissions within the DRP does not receive adequate attention, causing excessive multiple re-submissions (as many as eight).

Finding No. 44 –The responsibility for DRP processing problems "ping-pongs" between departments.

Finding No. 45– There is a need for up-to-date departmental and cross-departmental DPR flow charts using the same template.

Finding No. 46–The Building and Safety Department’s appeal process is unusual in that it is comprised of departmental staff only.

Finding No. 47– It is the position of the development community that the Building and Safety Department’s code interpretation practices are more stringent than their counterparts in the Las Vegas Valley.

Organizational Structure, Supervision and Management

Finding No. 48 – The departments involved in the DRP have pronounced “silo mentalities” that often work against efficient operation of the DRP.

Finding No. 49 – No single manager is assigned the responsibility for overseeing the DRP and its personnel.

Finding No. 50 – Finding the time necessary for the DCM-D to successfully oversee the implementation of the report’s recommendation is critical to improving the DRP.

Finding No. 51 – There is a need to carefully examine the spans of control in the DRP departments.

Finding No. 52 – Insufficient (almost none) time is given to solving problems associated with the DRP during regularly scheduled senior management meetings.

Finding No. 53 – Most of the managers responsible for work units in the DRP have learned to manage more by “experience” than through a formal education or professional training process such as earning a business administration degree, MBA or executive development certification.

Finding No. 54 – The staff of the Planning and Development Department is re-assigned within the department at a higher frequency than is the norm for positions that interpret complex and multifaceted regulations.

Finding No. 55 – To provide quality assurance a business license application is reviewed by three staff to make sure the information matches from the hard copy to what has been input into the business license system.

Finding No. 56 – The loss of senior staff leaving the workforce has resulted in a loss of institutional memory.

Finding No. 57 – Until recently the Building and Safety Department inspections supervisors were not conducting desk or field audits of the work performed by their inspectors.

Finding No. 58 – There is a significant interest by some staff members to shift the DRP schedule from its current schedule to the 4-10 (four-day, ten-hour) work schedule.

Finding No. 59 – The physical separation of inspectors and plan review personnel in the Building and Safety Department results in communication problems that are sometimes an additional cost for the customer.

Finding No. 60 – Managers and supervisors tend to focus more on the politics of the process than the “time and money” aspect of the DRP.

Finding No. 61 – “Top down” management calls are often required to move projects forward.

Finding No. 62 – The May 2009 Employee Engagement Survey conducted by the Department of Human Resources contains a number of “red flags” deserving of attention from the CMO.

Finding No. 63 – Staffing reductions among the development review related departments are not always consistent with the corresponding decline in land development activities.

Finding No. 64 – The Planning and Development Department’s front counter planners are not fully utilized when they have “dead time.”

Finding No. 65 – A significant number of mid-managers are “change averse” and are resisting using business metrics, time and actual cost as the primary measures of their performance, and the performance of their subordinate staff.

Finding No. 66 – The need for additional staff cross-training is of universal concern in the DRP.

Finding No. 67 – The training for front counter planners is inadequate.

Finding No. 68 – A significant number of employees expressed the need for additional customer service training.

Findings No. 69 – There is substantial resistance to the use of “performance-based” codes and regulations.

Finding No. 70 – The Building and Safety Department lacks the senior management positions necessary to operate effectively and prepare itself for competition with respect to future land development.

Finding No. 71 – There is no formal process for changing management processes in the DRP.

Technology, Business Systems and Performance Measures

Finding No. 72 – There is a critical need for an electronic application/plans submittal, review, tracking, and storage system.

Finding No. 73 – A more customer friendly website with a better search capacity is needed for the development community.

Finding No. 74 – With the exception of the Building and Safety Department, fee studies by a qualified consultant have not been conducted in recent years in the other development review departments.

Finding No. 75 – There are noticeable telephone response time delays in the Business Licenses office.

Finding No. 76 – Findings in the Wohlford Consulting User Fee Report for the Building and Safety Department indicate that the current fee structure used by the department is not sufficient to cover the department's cost of providing services.

Finding No. 77 – While the annual volume of land use and permit applications is the primary driver for the DRP, workload and output is not always measured effectively.

Finding No. 78 – With the exception of the relatively new Performance Plus management tool, no recognized business system such as Sigma Six, Total Quality Management or Business Processing Engineering is used by any of the development review departments.

Finding No. 79 – The Business Licensing Division's resistance to using the Hansen software system has been costly in terms of DRP staff time and customer service.

Finding No. 80 – The DRP is hindered by certain communications "inabilities" between software applications (Hansen, Sire, EB, GIS, Plans Viewer and Oracle).

Organizational Culture and Customer Service

Finding No. 81 –The almost universal belief by mid-managers that “when things return to normal we will need more staff” is a drag against the need to change the way things are done internally.

Finding No. 82 – Too many DRP managers continue to believe that their future staffing levels need to be established on the basis of the previous, but unmeasured, workload indicators.

Finding No. 83 –The Development Services Center reception area is unfriendly, confusing for the first-time customer and is inefficient for both the customer and staff.

Finding No. 84 – There is compelling anecdotal input from the development community that some of the Fire Engineering staff lack professionalism with respect to customer service.

Finding No. 85 – The sometimes “we-they” friction between the plan check staffs in Fire Engineering and the Building and Safety Department impedes the work effort and customer service.

Finding No. 86 – The initial staff response to the unfiltered input received from the development community focus groups was more defensive than introspective or thought-provoking.

Finding No. 87 – Within the DRP staff there appears to be confusion with respect to who the customer actually is.

Finding No. 88 – An insufficient number of DRP staff have attended the Human Resources Department’s formal customer service certification program and some of the personalities (because of a lack of communication skills, negative attitude, bureaucratic beliefs, etc.) of some of the staff occupying key positions in the DRP are not conducive to effectively solving customer relation issues and/or working in a professional manner with other employees in the DRP.

Finding No. 89 – Locating fire inspection personnel in fire stations may widen the mission-understanding gap and organizational culture differences between the Fire and Rescue Department and the other elements of the DRP.

Finding No. 90 – Telephone customers frequently complain about being switched from person to person because staff often does not know to whom a call should be referred.

Finding No. 91 – The effectiveness of the Office of Business Development (OBD) staff with respect to assisting a property owner move through the DRP has been marginalized because of the customer-resistance view held by other DRP staff.

Finding No. 92 – The different and sometimes conflicting organizational cultures surrounding the DRP impedes quality service.

Finding No. 93 – DRP Permits often expire without either the City or customer realizing it.

Finding No. 94 – There are limited up-to-date operating (desk) manuals for DRP plans check personnel to use as a reference and guide for their activities.

Finding No. 95 – The development community believes that planners should be well-qualified professionals who are encouraged to have meaningful input with applicants.

Chapter 2

Overview of the Project

2.1 Assignment and Objective

The City of Las Vegas retained Kirchhoff & Associates to study its development review process (DRP), and make practical recommendations to improve the predictability, speed and efficiency of City of Las Vegas' development activities without minimizing the elements of quality and safety. Rinaldi & Associates, a consulting firm very familiar with the planning processes of the various jurisdictions in the Las Vegas Valley was also a lead participant in this undertaking. The consulting team assigned to this project is a seasoned group with decades of experience managing cities, working with development departments and modifying organizational behavior. The findings and recommendations related to the *Development Review Process Efficiency Analysis* are found in Chapter 6 Findings and Recommendations.

The objective of this efficiency analysis was to determine ways in which the DRP might be made more efficient in terms of the speed and predictability with which a development customer is served by the City of Las Vegas.

There are five City departments that are directly involved with some phase of the DRP. They are the Planning and Development Department, Building and Safety

Department, Public Works Department, Fire and Rescue Department and the Finance and Business Services Department. Collectively, they are referred to throughout the report as the “development related departments.” The Building and Safety Department is generally considered to be the “most involved” department in terms of process management. It is the point in the organization most frequently contacted once a building permit has been issued and its total staff is devoted to the DRP. Both the Planning and Development and Public Works Departments have large cadres of staff involved with the DRP. Fire and Rescue, to a lesser extent, has a small work unit (Fire Engineering) involved with fire related plan review and inspections. The Finance and Business Development Department has the least hands-on involvement in the process. While not thought of in the traditional sense as being a development related work unit, the Finance and Business Services Department administers the issuance of business licenses once the construction of a building has been completed.

It is also noteworthy that a significant number of other jurisdictions can be involved as a project works its way through the City’s DRP. Moving through the bureaucracies of these organizations significantly increases the length of time it takes for an applicant to obtain the necessary permit approvals from the City of Las Vegas. Among the outside agencies that can be potentially involved with reviewing a development review application are the Las Vegas Metropolitan Police, Clark County Health District, Clark County School District, Las Vegas Valley Water District, Division of Water Resources, Nevada Power Company, Southwest Gas Company, Sprint Central Telephone and the U.S. Post Office.

The intended outcome of the *Development Review Process Efficiency Analysis* was to change the DRP after a thorough *systems analysis* study methodology. The intended goal is to position the City to better serve the development community, while still maintaining high standards of health, safety, compatibility and quality of life for City residents. Overcoming the unnecessary delays,

misinformation and untimely “surprises” that are sometimes experienced by development customers – from homeowners with relatively simple repair/rehabilitation of private home projects to major commercial and residential developers - was the focus of this analysis. Among the issues addressed were:

1. The time required for a customer to complete approvals within the City’s DRP;
2. Maintaining quality development;
3. Being competitive by accommodating development; and,
4. The identification of issues of concern to private industry trade groups.

The intent of the original scope of work was to provide the City Manager with a “whitepaper” list of practical recommendations for removing obstacles and impediments in the Building and Safety Department. Because of his experience with development matters, the new Deputy City Manager responsible for the development related departments, expanded the scope of the study to all of the departments managing land development activities. Driving this effort was the City Manager’s concern that the City’s overall DRP process needs to change dramatically in order to *compete* with adjacent communities for future development opportunities, and operate more efficiently in a changing economy. It is also the City Manager’s desire to shift the DRP from an *enforcement* posture to a collaborative *enabling* tool that will encourage economic development and expansion of the City’s employment and tax base.

Early into the study it became apparent that the successful transitional shift from just the *enforcement* of rules and regulations to that of customer *enablement* would require more than the white paper review that was originally contemplated. In addition to the mechanical aspects of connecting the dots in the processing sequence, the need to understand how the individual development related departments function and the organizational culture differences between them became apparent. This caused the work plan to be expanded, including a more

detailed analysis of the development review work units within the City and the culture which dictates the way they do things.

2.2 Study Methodologies and Lines of Inquiry

Five integrated methodologies and lines of inquiry were used to conduct the *Development Review Process Efficiency Analysis*. They are the:

1. Systems analysis;
2. Stakeholder input;
3. Organizational culture analysis;
4. Code review; and,
5. Industry best practices and other municipalities review.

The following is a brief summary of each methodology used in this analysis.

The Systems Analysis

As is the case with other formal organizations, each of the development review departments uses a framework of systems and procedures to guide its employees in their day-to-day activities and operations. While many resources need to be combined in an organized manner to effectively operate the DRP system, the most important element is how people – the people who operate the system and the people who use its output – behave and work in their systems.

The systems and procedures for an organization such as a city's development review process are usually based on a complex collection of facts, opinions, and ideas concerning the organization's objectives. For an organization to survive, it must learn to deal with a changing environment effectively and efficiently. To accomplish the making of decisions in an uncertain environment, the organization's framework of systems and procedures must be remodeled, redefined, or tailored on

an ongoing basis, Commonly referred to as re-engineering, fact must be separated from the trivial, fact sorted out from opinion, and the objectives redefined. The most important question the systems analyst must continue to ask is “What are we (the organization) trying to accomplish?” The response to this question from City’s DRP staff was remarkably inconsistent, a reflection of differing goals and objectives that impedes their work.

Put simply, the systems analysis approach is a deep-dig into a problem that differs from the trial-and-error approach. The trial-and-error approach involves identifying a number of potential solutions to the problem and then testing each randomly until one alternative appears to provide an acceptable solution. In the systems analysis as many of the influences and constraints are identified and evaluated in terms of their impact on the various “decision points” in the system. A decision point is that point in a system at which some person or an automatic mechanism must react to input and make a decision. There are many decision points within the system that the DRP operates in. Correctly designed the objectives of the DRP system are to:

- Furnish the right information to the right people at the right time;
- Decrease uncertainty and improvement of decision quality;
- Increase capacity to produce work;
- Perform work that was previously impossible;
- Increase employee productivity and reduce costs; and,
- Manage the orderly and economically viable development of land.

The City’s DRP system should provide information that is consistent, accurate, timely, economically feasible and relevant (CATER). In other words, the DRP should:

- Establish standards;

- Specify each work unit's responsibility;
- Delineate actions and decisions;
- Be easily understandable;
- Provide performance criteria; and,
- Identify the decision points in the process.

Unfortunately, deficiencies exist in each of these stages of the DRP system. It is noteworthy that the problems with the City's DRP are the problems that are typically associated with almost any city's development review process. These deficiencies, and possible remedies, are discussed generally in Chapter 4 The Core Issues, and more specifically in Chapter 6 Findings and Recommendations.

Many of the individual questions asked by the consultants are found in Appendix A Questions and Lines of Inquiry. The lines of inquiry that this study of the DRP focused on were:

- What are the critical processes;
- What key skills are required to produce the processes;
- What are the challenges;
- How is the DRP governed;
- What is the criteria for success; and,
- What metrics and measures are used?

Stakeholder Input

Augmenting the systems analysis methodology was the involvement of the various stakeholders – customers, development industry representatives and staff. A heavy emphasis of the analysis was the involvement of stakeholders with respect to determining better ways of doing things for the customer. The consultants conducted five focus group meetings with the following categories of the Las Vegas development community:

- Fire Safety/Sprinkler Systems;
- Land Use/Entitlements;
- Building Permits;
- Drainage Studies; and,
- Traffic Studies and Civil Plans

The outcomes of these meetings were shared with DRP staff representatives in a formal setting that allowed for feedback and are discussed in detail in Chapter 3 What The Las Vegas Development Community Wants.

The staff interviews were with professionals in all areas of the DRP. In all, approximately 60 staff members were interviewed or contacted via email or telephone. In a variety of forums the staff was asked:

- What will development review customers require of the City in the future and who will the City compete with?
- What will the organization need to be highly successful in the future?
- What demands will the City face in the future environment?
- What trends should the City be aware of?
- Where are we currently underdeveloped in the organization?
- If the City is to achieve excellence in managing land development, what will it need to change in the organization?

A significant number of staff were interviewed on multiple occasions and many were involved in an ongoing exchange of information with the consultants. Their knowledge, and willingness to share it, was of immeasurable benefit to this analysis. In fact, much of the information found in Chapter 6 Findings and Recommendations, is directly

attributable to ideas and input from the City's staff. The observations and ideas of the professionals working in the DRP are the basis for most of the recommendations in this report.

Organizational Culture Analysis

An organization's culture is reflected by what is valued, the dominant managerial and leadership styles, the language and symbols, the procedures and routines, and the definitions of success that make an organization unique. The fact that many of the City's executive staff (the City Manager, Deputy City Manager for development activities, Director of Building and Safety for example) are relatively new to their positions means that at least some of the organization's values, management and leadership styles and definitions of success are changing and will continue to change.

Organizational culture is the way things get done in a private corporation or government entity. It is the standard of conduct in the workplace. Whether weak or strong, organizational culture has a powerful influence on how well work is performed. It affects practically everything – from what time work starts, how long the work day is, who gets promoted, and how employees relate to their customers. Understanding an organization's existing culture and the culture it prefers (or needs) is critical to the long-haul sustainability of specific changes.

Internal Code Compliance Review

The purpose of this objective analysis was to determine: (A) if the plans review and inspections processes were exceeding (over reviewing and/or inspection) that which is required by the official codes and standards adopted by the City; and, (B) are the codes being enforced with the necessary transparency, consistency and predictability. Many of the

findings in Chapter 6 Plan of Action focus on this element of the efficiency analysis.

Industry Best Practices and Review of Other Municipalities

In an attempt to obtain as much fresh information as possible, considerable attention was given by the consultants to a handful of municipalities that are reputed to have quality development review programs. Some of this information is contained in Appendix B - Development Review Process Best Practices Cities. Among the municipalities studied were San Diego, CA, Chula Vista, CA., Arlington, TX, Henderson, NV and Tallahassee, FL. The University of North Carolina's publication *Development Review in Local Government: Benchmarking Best Practices* is an excellent resource regarding development review practices in a number of well-managed municipalities.

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Chapter 3

What the Las Vegas Development Customer Wants

3.1 Introduction

The information in this chapter is based on direct input the consultants received from the five focus group meetings with members of the development community. It is noteworthy that some individuals attended as many as three of the sessions. It is also based on information obtained from written correspondence, emails, surveys and phone conversations. On one hand, it must be recognized that these people have special interests, with some of them having an “ax to grind.” And some are expressing opinions without factual data to support their position. And, in some cases they are complaining about old problems which have been fixed or resolved. On the other hand, the development community has many interests in common with the City's DRP staff, such as safety, quality of life, and avoidance of litigation, and its members are very real partners with the City as it relates to land development. Those in the design community, registered architects and engineers, risk the loss of their very valuable professional licenses if they are not in compliance with the applicable design standards of the City's codes. These are among the reasons that their concerns should be not be shrugged-off as coming from the “dark side.” Rather, it is suggested that each comment be considered by the Implementation

Committee and all of the managers and supervisors in the DRP. Those having merit should be given a complete review.

3.2 Pertinent Comments of Concern

Notes were taken during each of the focus group sessions. Illustrative of the concerns are the following statements from the development community. Some of these comments are listed below. The reader is referred to all of the recorded comments which are included in Appendix C Focus Group Comments.

Experience tells us that the initial reaction to criticism, constructive or otherwise, by a conventional bureaucracy is a defensive denial, usually followed by some form of “killing the messenger.” Since there is value to be gained from any sort of public input it is suggested that these comments be reviewed on the basis that:

- All segments of the public served by the City of Las Vegas, including the development community, deserve a fair hearing;
- The development community, like any other special interest group, will have its own agenda that is not always in the best interest of the general public;
- The government , not the developer, is the responsible party for safety in the builder-municipality relationship;
- Operating at the highest possible level is the responsibility of the work units that manage the DRP; and,
- Many of the concerns expressed in this chapter by the focus groups have been validated by the DRP staff.

If the focus group input is studied in this context then those responsible for the DRP will gain some different insights that will help them sort out where corrective action needs to be taken. If viewed from the perspective that the input is coming from the “dark side” and therefore is not worthy of legitimate examination, then an opportunity for improvement is lost. Among the representative themes that were expressed by the focus groups include:

- Staff has little appreciation for the cost of time;

- No one person is “in charge” of managing the DRP;
- Plan review and inspections are inconsistent;
- Departments are in conflict with each other;
- Code changes are not communicated with the development community;
- Inspectors trump plans examiners;
- Too many last minutes changes in conditions;
- Too much City Council involvement in the entitlement process;
- Plans and documents get lost frequently;
- “Us vs. them” and a “No” culture;
- The appeals process needs modification;
- Downtown development is different than suburban development (new codes don’t work for retrofit);
- Too many staff requirements are not supported by code; and,
- Planners need more authority so they are more than paper pushers.

Fire Prevention/Sprinkler Systems Focus Group

“CLV Fire Department are employees of the city. Submitted two separate permits for identical purposes, one to city and to fire department, way to combine the two, reduce the duplicate fee, get rid of doing twice the work would be a benefit.”

“Usually don’t have trouble getting them to come out. The real problem is getting everyone to coordinate to be there at the same time.”

“When the plans examiner went on vacation the review of our plans also went on a vacation.”

“We saw several years ago, fire code changes were made with no public comment period. Fire protection engineers are involved in code issues, but we weren’t able to participate...”

“Sprinkler retrofit ordinance unique to CLV – requirement that buildings larger than 10K sq.ft. but have undivided fire at 5K sq. ft., have to be re-sprinkled, even if they were sprinkled to previous code.”

“One of the things CLV really needs to work on, especially in the down time, to bring the developer’s attention early on as to what LVFR’s special requirements are, which are not published.”

“Fire engineers need to be involved from the beginning. All of that information needs to be outlined in advance to the developers and architects BEFORE the contracts are in place.

“CLV mandates that a fire protection engineer submit drawings. That isn’t written down. Pre-requisites need to be put in place in paper.”

"We run across issues we can't find something in the code book, but they want to enforce it on inspection side. It holds up the whole job. They point to Chapter 1 that says they have the authority to make decisions. We want the requirements on paper to show the owners."

"For older, existing buildings and how to apply the requirements. I don't think anyone LV valley does a good job on having guidelines and consistency in that regard, especially in CLV in downtown LV with older buildings, the NEED to have a set of guidelines and requirements that are perhaps different than in a brand new building."

"I would think that both B&S and FD would have some set of guidelines with respect to existing buildings that would get people into the buildings."

"Appeals process in FD, best we can tell is just do it." In B&S it is also a dictatorship, just formal process. Why can't we stick with the UBC?IBC appeals process (new code/old code provisions)?"

"We are working through project, have a few minor issues to take care of, the inspector is out of town for 10 days, can't swap staff, can't swap staff in FD. Vacations can't be an excuse. If plans examiner is on vacation, we are SOL."

"Throughout the process, I believe that B&S and FD do not like each other at all. B&S and FD do not get along, and that created problems throughout the process."

"Fire code changes with no input. There ought to be industry communication prior to any changes."

"Can't keep up with all the changes, need updates."

"Publish standards and stick with them. Want more guidelines, be consistent."

"FD website is horrible to use. Info is not up to date. Very difficult to get the applicable code from the CLV page."

"Sprinkler retrofit ordinance – city adopted, no one else does it. At what point does the retrofit restart?"

Land Use/Entitlements Focus Group

"That they never returned my phone calls, which created a road block. Across the board, the higher you go, the longer it took."

"CLV and NLV are the only entities that require 20-25 sets of maps whereas the other entities don't."

"CLV doesn't make sense on their ordering of their agenda, can't figure it out. I've been told Margo takes them by difficulty, does the simple ones first."

"Departments are inconsistent, can't agree. Interpretations between departments don't occur, pre-submittal conferences end without answers as multiple department representatives cannot come to consensus."

"Very frustrating when we send the information ahead of time and hope that they review it and then they walk in without reviewing it and you have to present it new."

"Last second conditions are also irritating. Don't have time to review with client, argue why, etc."

"Conditions inconsistent with ordinance or with published interpretation – why do we have to do that when the ordinance or published interpretation of the ordinance doesn't require it? Lots of times the response is "it is in-house policy" but we never see them published; if they are in-house policy, it should be placed into ordinance."

"Really easy to get action items bumped off the routine action items. Council people are so involved in the zoning process in the city. It should be a routine administrative approval, rather than council taking the hand in."

"In the preconference, you give planner info, but the planner is not taking the project on as their project, so you are left to try to contact anyone. "

"There is a culture of mistrust among the city planners who don't trust the applicants. When I'm there, I feel like I'm in Europe trying to cross borders and you hope you have your paperwork in order. It's like they are trying to find something wrong with your stuff, they aren't helping us."

"Customer enablement is a joke right now."

"It's the mistrust. You build relationships with people you see all the time. I love submitting to County. I know them, I trust them. City, forget it, even after 14 years."

"They aren't rude or anything, but very by the book and don't suggest anything."

"Nobody who is responsible or accountable for it, so you get departments who have turf issues, responsibility of professional submitting it, let's be honest."

"First thing I do is enable planners, and they are lowest on the totem poles. I think they get overruled by planning commission and council so often they are ridiculously cautious and they say what they think council will approve. Has little or nothing to do with sound planning."

"My thought was, I never felt I was team with the city, like in other places. I never felt like we are trying, together, to create something nice. They always take the negative stance on whatever I do. Transcended directors, staff, etc. It has gotten worse. I couldn't agree more."

"Receptionist. I don't care who it is, it is different every time and they hire the meanest receptionists. The very first person you talk to sets the tone and it's always crap."

"Seems like at the City, the answer is always NO. You start there and have to somehow earn a yes. It is easier to go from NO to YES than the other way around. More experienced planners say no right away."

"I think they are going to need a team of people who expressly deal with whoever finish those projects. They are going to ask for things that don't necessarily get asked for, because you need it. Those projects will start first. Can't treat those projects like they are new projects. Almost need people who specifically deal with those retro jobs."

"Developers and owners favor county and other jurisdictions because of the process the city makes you go through. We charge more for CLV. Owners pick one jurisdiction over the other, especially when it comes to the building department. It is an absolute factor. The city ranks low."

"2-3 years ago, there was an over-conditioning creep in the entitlement process. Now, if we condition the way we used to, it will prevent the reemergence of this market."

"CLV is the only entity that won't allow a public utility to file a use permit application for transmission line without the property owner's signature. It's impossible to get a property owner's signature for a special use permit. For some reason, CLV won't let that one go."

"CLV has great opportunities and great assets, recognition of projects downtown need to be different, as there are different needs downtown versus some place like Summerlin."

"In the county, when a planner just gets hired, you see them increase up the ranks and grow. In the city, I couldn't even tell you who is who. County will send letters if our application timeframes are up. The City doesn't notify the client. It burns the clients."

"Agenda items get bumped off the consent agenda – council looking through things, liaisons look at it, but those items should never even on the consent, they should be on administrative approvals."

"If Planning Commission votes to approve, it doesn't matter. Why have a Planning Commission if the Council won't use their decisions."

"Changes at last minute as well as agenda bumping. We know that a day or two before the meeting, the planning director reviews the applications at a big meeting with all planners, and they come up with additional conditions."

"In the city, we have to physically change the plan to an approvable state, where in the county, we can have a conditioned plan and send it in later. That's a Margo deal, she wants to have it immediately. We can't get that drawing changed in time, which bumps it. PW didn't see it, so in City Council it was postponed, for a tiny changed, could have been conditioned, have to redo the site plan and recolor it rather than conditioning it. How do we charge the client for that? We can't! Easy fix, don't do it that way, do it like CC and Henderson. CLV code Title 19 doesn't have requirements."

"City is very by the book, even if there is no book. We tell clients worse case scenarios depending on the project. Exact phrase council person uses is what change is applied."

"Planners don't answer questions, feel they are just checking we have the meeting. They write a report. But don't interact."

"PW and Planning don't agree on downtown, with existing sidewalks, etc. That's always a hassle, working out conflicts between amenity areas and right-of-way. Usually they discuss and figure out what we have to do. No appeal for it. We may ask for meeting, but no formal appeal process."

"There is prejudice. If one person pisses off someone, it spreads. It's like the receptionist. We have to learn to present ourselves professionally, but so do they. Retribution factor in the city is worse than the other jurisdictions. In B&S and Planning departments, staff takes things personally across the departments. More in B&S than other departments."

"If I take it to appeal and I win, they will get me next time. You should create an organization that minimizes it and the city creates an organization that maximizes it."

"Part of the culture of us against them. Developers are bad."

"There is a need to see entitlement process as process for building the city, not process that allows us to condition developers – a partnership for building the community together."

"Tell council to back off, you have professionals who are trained in this, let Planning Commission do their job, let staff do their job all the way up from bottom and butt out."

"We need one (guidelines) for the Downtown Process. Most cities do for denser areas. Have the guidelines, need the different process."

"OBD makes it better, but seen by Planning as shills for developers."

"Gonna take effort from developers, city, and mortgage lenders to come together to build this."

"OBD is allowed to imagine the economic impact of developments that we do. Planning isn't allowed to do that."

"Planners are 'process bunnies' can't make decisions."

"Need to implement process where City Council gets input from developer community in a non-adversarial way."

"Website – it's better than nothing. It's gotten better over the past 3 years. Not as user friendly as the county's but it is better than nothing. Have more comprehensive prompts, easier to find, more intuitive. Could partition out the developer side."

Building Permits Focus Group

"Procedures change and we don't know about it until we file. We miss new forms, applications, different number of drawings. Policy changes need to be communicated. "

"Projects with support from the 10th floor are treated vastly different from other projects all the way across the board. When a call comes down from the 10th floor, the process goes more smoothly."

"B&S has terrible problem with us/them mentality and culture of mistrust. Developers are bad; architects are trying to get away with stuff."

"Consistency issues. Two different plans checkers interpret the same plans differently. They interpret the code vastly different than the other jurisdictions."

"We go express plan check for the simple reason to pull them together".

"Last 4-5 projects we've done express plans checks, and everyone gets together and it makes it much easier. The only negative thing is that once the express plans check is done, it slows back down to the regular process."

"Need a different approach for small projects, such as a block wall, as compared to larger projects. County has a really good system on inspection reports, at City have to call and try and reach someone. There are no assigned staff members who work with us and are accountable. It's a challenge."

"Appeals process is ridiculous, especially now."

"IBC adopted performance-based design; city chose to go with prescriptive based design, where county adopted it."

"Drawing integration process at the city, we have to do it ourselves, which is a big problem as we have to physically insert them and it is prone to errors. None of the other jurisdictions have us insert our own drawings."

"Clerical errors by the city cost clients hours to fix missing paperwork. Just another place to point fingers."

"One issue is now, with the lay offs, and is that everyone is afraid for their jobs. "

"Disgruntled employees in plans review versus inspections. Inspectors reject something the plans review people accept. It's a VERY serious problem. The inspectors trump the plans checker, in the County they have to work it out, in the City; you have to appeal the inspector, which is why we are in appeals all the time."

"ICC interpretation on code, B&S rejects it. It happens all the time where the city doesn't do ICC interpretation."

"Huge flaw in the appeals board, the appeals board has the person who rejected you on it."

"Political fear, justification used is legal liability. B&S is not willing to make the same kind of decisions that other building departments do all around the country. The building official no longer makes the call as he doesn't have the expertise to do it. The only one with that knowledge is Rod Clark, who is a No-man."

"Unpublished interpretations internal to Building that aren't published. It is the city's policy that "... but it isn't online, or AGC, etc. Residential builds, big problem is communication. If there is a hold up, we are constantly trying to find out why, they don't e-mail or call, communication is just not there."

"On the field side is a stand-in inspector, who bogs up the works until a regular inspector comes back. No documented or communicated issue resolution between inspectors."

"Big issue between FD & Building, how they butt heads. It's a natural friction, not just city. Other jurisdictions reconcile that friction better."

"There is a mechanism valley-wide (SNBO – So. Nv. Building Officials), but city is very poorly regarded at SNBO. The city has been widely regarded as a non-participant or a joke. Gone from bad to worse as the Building official is a non-technical guy. Couldn't get the city to sign on to valley wide processes. Because of prescriptive versus performance based design – philosophical difference. IBC is based on performance based design, city adopted IBC, but not performance based."

"Philosophy of city versus everyone else is so adversarial in the field. It appears like it's a badge of honor to shut things down. Time is money for private sector, other entities work with that understanding, partner and help developers, and there is no awareness of that in the city. City doesn't partner for us."

"Profit drives business and the city doesn't have any conception of that. If city drags the process, we lose profit, so we go elsewhere to an entity who will work with us as a partner."

"Predictability is key to profitability. 100 day schedule is better every time than a schedule that is all over the map. That is the FUNDAMENTAL PROBLEM. We charge more for city projects because of the adversarial relationship the city has with other stakeholders and other entities."

"There are some good things in the city. The field inspectors actually look at our drawings. CLV has electrical inspectors that understand the drawings, read them, and enforce them. That's a plus."

"Plans check timeliness - Depends on the plans checker; it's gotten better because there are fewer plans checkers."

"Inspections – timeliness is not a problem."

"City works real good on same day and emergency inspections. Very seldom do they not work with us on that."

"We don't put construction sets for the city to approve, we put it together so the contract will build it. It's a whole different mind set in the city."

"Performance based design is the way the world is going, with sustainability, etc. If they don't address this issue, they can't address the mandate of an efficient city."

"How often do you have to call a Manager or Council person to get the plans check. Not all the time, but more often than in other jurisdictions. It's a small town."

"Inspections – handled by professionals, but every disagreement has to be solved in appeals."

"CFO stage – one issue is that they will catch something that is valid, that could have been easily caught at the rough-in stage. It was installed weeks ago, but could have been inspected and checked early for a mentality of helping, not hurting us. Slows down buyer getting into the house."

"Us versus them, enforcement VS partnership is a real issue "

"Have been working through at least 5 city managers who have sought to turn this cultural thing around and were not able to do it. Why can't we change from institutional entity to partner based. This is good news someone is looking from the outside. City is hardest jurisdiction to work with."

"If city would go to NOV program it would be phenomenal. NOV is notice of violations inspected to see what changes would make without permits."

"Need to shift to performance-based to truly build buildings that are efficient and compete in this world, we have to do it."

"Appeals board is set up with city internal staff. Needs to have external experts on the appeals board, like with other jurisdictions."

"Submit utilities under certain guidelines and processes, which would be very helpful. Also separate counters for separate types of builds. Why should a block wall go to the same counter as a hotel? Makes no sense."

Downtown/Urban Re-development Focus Group

"We came to realize that the process was not working for us and we began to work directly with each department, which seemed, despite the fact it was expensive and time consuming, to speed up the process."

"Cannot do development or even start building until the entire process is approved, which can be up to 3 months. Our project took almost 2 years."

"When I think about Redev, the purpose is to encourage people to develop in those areas. You develop an RDA that has certain incentives to develop there rather than elsewhere, i.e., less parking, less zoning restrictions, less code strictures, etc. If you are working in the RDA, it should be perceived as the EASIEST place to do business. Our experience is that it's been pretty good, at the same time, the timing of it has not been any better than working outside the RDA, which I think is wrong in concept. It should be streamlined and facilitated for people to build."

"One of the philosophies that have happened in the past is the big items, i.e., building arenas, etc. Forgot the small businesses that have been here all along. We are the people building, not the fantasy arenas, etc. The folks that get the attention aren't the ones building."

"We think OBD staff experience as much frustration as we do. Literally OBD staff will talk certain business owners OUT of doing business with CLV, because there is so much slow down in project planning."

"Evolve, modify VIP program to expedite the project. Make VIP retroactive, apply at end of the project."

"Overwhelming culture in CLV that they are doing US a favor and we need to jump through there hoops and we think the roles should be reversed."

"CLV decision makers seem to have no vested interest in anything that goes on; they don't live here, they don't frequent the businesses, they don't support them".

"Several meetings with several departments where there is attitude that development people who are small business owner is to give MORE to each department, like they are competing. It is just a small cost to the owner, so no big deal, not realizing how much we've spent already on the project. 30% of CLV staff have no ideas of the cost of doing business, or values."

"Shifting sands in the rules and codes."

"Centennial Plan standards. When you front to Centennial Plan standards, get ready to spend lots of money. It's enough to make a developer go elsewhere. Centennial rules apply on major street frontage that come from Planning Department. Master Plan for the valley. This is not on the right of way, it's in ADDITION to the right-of-way. Giving up 15 feet of property not in the right of way. It is ABSOLUTELY PUNISHING!!! Needs to be an easing of the rules. Spirit of the rule is FANTASTIC, but they have to be in a more business-friendly manner. Landscaping is NOT desert friendly landscaping."

"This is a symptom of something much bigger, namely a disconnect between City and reality redevelopment."

"Consider increasing the counter appointments from thirty minutes to one hour."

"Disproportionate allocation of resources to pie in the sky resources, namely Union Park. It's Symphony Park now. World jewelry centers. Stuff 3-5-10 years away that is absorbing staff, council, etc. time and resources."

"In the arts and entertainment district, we are treated as step children. All of what we are doing draws people down here to live. All of those closing businesses, those getting blown off are the things that are very, very important for the creation of the community."

"Council brandishes power based on their personal opinion."

"Theme we've been talking about. We have entrepreneurs and risk takers who want to develop downtown, but it has to make business sense. City doesn't facilitate business downtown right now. It's not just in RDA, it's everything."

"The city should think of EVERYTHING AS BUSINESS DEVELOPMENT. CITY SHOULD BE ALLOWED TO CONSIDER THE ECONOMIC RAMIFICATIONS OF ALL DEVELOPMENT. That's the killer for not just RDA dev, but all dev."

"If we could change 6 or 8 things, we would feel that the city is partnering with us."

"CODE REVIEW ON OLDER BUILDING IS THE SINGLE MOST IMPORTANT THING THAT NEEDS TO BE FIXED."

"New performance criteria for new buildings have to be different than performance criteria on existing buildings."

"It starts with everyone being on the same page. If we have a common goal to open businesses, everything else falls into place. If we want to have a business, why talk easements and trees. We need businesses open. We need parking. Parking is a massive problem downtown. You need to create demand. There is no customer base. No population density. What are we going to do to create a draw and create a demand? Open more businesses to make a destination and create a demand. Culture should be come to us, we will do everything we can to get your business open."

"Inspectors love to say NO. They all start with no. Back to the culture and attitude."

"What can be done to ensure small guys that create the energy, synergy, and destinations get a more fair representation of that pie."

"Entitlement process – planning staff has developed paranoia, that changes at the smallest level require a restart of the whole process. The other jurisdictions DON'T do that, they have a percentage threshold for approvals."

"Redlining drawings and updating drawings and resubmitting every single time, make 2-4 week waits."

"Plan check documents lost within the City. Civil and other. Developers have to make copies, get three new stamps, re-sign them, give sets to architect to pull out specific sheets, to get final approval."

"City staff professionalism – some are certainly not doing their jobs. 25% of people we came in contact with are not qualified to perform their jobs. I'd say 25% is a low number."

"People I've dealt with seems to be qualified, but they have advised us to keep down and they would shepherd us through the process to avoid those who love to say No. Lot of attitude like they are doing me a favor and on top of that, attitude that every business owner and developer is wealthy and no limit on how much they can spend or how long they can be delayed. Completely removed from reality of being a developer."

"Some people have way too much power, namely Fire. The departments are in conflict. We feel OBD gets cold shoulder from B&S and P&D? That's part of the culture. It's my job to slow the process down, is the developers' perception of CLV staff."

"Express plans check is unnecessary; it should be SOP, not special process."

"Overstepping of authority with plans check. Unpublished rules, rules out of blue, personal preferences VS published standards. Comments not supported by ordinances. Inspection processes; inspectors have hands way too tied. Cannot be flexible when minor changes that don't affect public safety or impact structural or items that don't require engineer – engineers used to sign off and catch it on the as-built. Now, plan revisions are required first."

"20 years behind the hillbillies in the Ozarks." <yikes>

"Inspectors don't show up (Fire) when scheduled. Developer employees had to wait two weeks with employees having to be paid. Cost 6-7 business day delay for a final inspection."

"Final inspection, C of O coordination. All other inspectors were there, but not Fire."

"Problem when inspector disagrees with Plans check. Inspector rejects because of interpretation of code different from plans check interpretation of code."

"Consistency among plan checkers is nonexistent. Inconsistency among inspectors is also prevalent. CONSISTENCY!"

Drainage Studies, Traffic Studies & Civil Plans Focus Group

"Personal preferences in review (by the reviewers – imposing personal style in improvement plans that doesn't affect public safety or right of way). Bill – what do they say when you ask them to show you the code? Typically it ends up in an argument and they say if you want my signature you will do what I want. "

"Not how can I help, but why should I do this attitude from management all the way down. Pervasive throughout department down to plan check level – Land Development Developers must physically move the mylars between departments. No one in the city is allowed to do so, and it's only three steps between Planning (who calls for the developer to pick up the plans, then turn into Land Development). They used to do it, but don't anymore."

"After they have approved plans from Civil, they get sent off to be copied, when developers get approved plans back, they have to make more copies and then go back and resubmit even though there are copies in their plans library. They don't talk to each other."

"The departments need to communicate and TALK to each other."

"We do design, show design, they come back with changes. Then when we submit again, same plan checker wants it revised 180 degrees or back to where it was originally submitted, specifically to traffic."

"Review times are too high, last traffic study waited 2 months."

"Has been instances where tracking the study has been faulty. They will lose it. It was on someone's desk and he/she didn't realize it. Lost/slow because of misplaced studies. Back in busiest season, I would have waited 4 months, or gone to get replacement sets."

"Need access to existing, approved drainage studies. County puts previous studies online. Need the existing studies to update the current study. Have to physically research or track down the original consultants to get copies. "

"Need more communication, availability of documents, old studies online. GIS mapping, etc. "

"Generally, we feel that drainage studies go well, however, one thing that is just phenomenal – condo conversions. Make sure it complies with existing draining study, check it, except THEN they wanted us to make improvements, and lots of them. Then it became a moving target. It was the moving target problem that created a headache. Tied to the draining study putting asphalt on adjacent roads or improving sidewalks, which doesn't have anything to do with draining. The list just got longer and longer and longer. It became so much of a hassle that we stopped doing condo conversions in CLV, kept doing them in all other jurisdictions."

"Lack of communication – if studies expire, send a letter notifying developer so they can update and get a current approval letter."

"New bond estimate forms are NUTS. It is insane."

"Code is clear for storm and sewer, but is very UNCLEAR for water. Almost was written for just customer distribution of power. "

"If someone makes a call (to the 10th floor), things suddenly CHANGE."

Often LVVWD will go fill a small hole to maintain the system, Ozzie forces them to upgrade the fire hydrants by refusing them to sign, trying to blackmail them into updating the development. If necessary, they do it under emergency permit. What happens is that they agreed to reimburse LVVWD for the hydrants, but not for the installation. Installation was not even on the street where work was going. Same thing occurred for transmission, forcing updates when it is just maintenance. Can see if it's requirement of developer, but not for basic maintenance and because you are just IN the area."

"Imposing personal preference significantly delays it."

"If it is not EXACTLY as shown on the improvement, inspectors now force them to make revisions to the plan and submit it again. Cannot just show them in the as-builds. Talking submittal fees, revision times, approvals, etc. Because inspectors aren't allowed to use their knowledge."

"Letters will be sent all work is complete 3 weeks prior to permit expiration, if they don't inspect before the expiration date, we have to renew permits. They should go out within 24 hours of receipt of the request for inspection. We are told that LVVWD is treated differently, "when they get around to it" and we are as much a developer as private sector. State law says we don't have to do it, but we still do it. We are ready to go back to not bothering permits. LVVWD will not release contractor from contract obligations until the city inspects it. They are held up for 2-3 months because the city won't close out."

"Training – getting new people that still need training, we seem to have to train them. Part of the problem is that people that are reviewers have never worked in the private sector. They've been in public agencies their entire lives and don't understand; there is no sense of urgency. Complete disregard that we are trying to get a job done and make the city better and there is a developer with a load of cash who want to invest it in the

city so why does the city start with a No?

Favoritism: Lot of it is just personalities. If there are reviewers you get along with, and the plans go to that person, you'll have an easier time with it.

3.3 Staff Response to Focus Group Input

The consultant met briefly with some of the senior staff serving the DRP to discuss the collective input from the focus groups. Copies of the focus groups comments were distributed to the staff attending the meeting. Generally speaking, at least among the more vocal participants, there was a defensive rather than introspective reaction. Despite the fact that some of the focus group comments may be in error or based on a misunderstanding of the facts the DRP staff is encouraged to look at them in an effort to understand how the development community (at least those who attended the focus group meetings) feels about development issues in general. The minutes of this meeting are contained in Appendix D Staff Responses to Focus Group Input.

As the Project Manager, Implementation Committee and Oversight Committee (discussed in Chapter 5 Plan of Action Plan) examine the focus group input it is important that they understand that this is how the customers feel, despite the fact that they may have a built-in biases, self-serving agenda or that they may just be flat wrong. In any private sector setting this type of customer feedback would be considered alarming and given maximum attention by all levels of management. Whether it is a real problem, or a perception, it merits attention.

3.4 Input From Las Vegas AIA

A white paper prepared by the Las Vegas AIA addressing its concerns regarding the DRP and offering ideas for change is included in Appendix E Las Vegas AIA Input. Written by the professionals who are very involved with the DRP, this document identifies some of the specific concerns of the design community and is worthy of the reader's attention. The categories of concern are:

- Professional Leadership;

- Appeals Processes
- Regional Consistency;
- Unpublished Interpretations;
- Superfluous Information Required on Drawings;
- Performance Criteria Not Accepted;
- Cultural Issues;
- Fire Sprinkler Retrofit Ordinance;
- Planning Staff Lacks Authority to do their Jobs Efficiently; and,
- Superfluous Layers in the Submittal Process.

It is important to note that the Las Vegas AIA comments pertaining to leadership are not directed toward the current Building and Safety Director. Rather it is directed toward what AIA Las Vegas describes as a “start from no” and its “my way or the highway” viewpoint that it believes is held by the department’s mid-managers. In fact, the director is viewed as a competent administrator who has reached out to the customers his department serves.

3.5 Changing the Way the DRP is Managed

The DRP is by necessity a process of conflict. There will always be a dynamic tension between the development customer and those responsible for regulating them. Since the late 60’s and early 70’s the management of land development has, for the most part, centered on the enforcement of regulations. It was the way things were done in that era and that approach has profoundly influenced the way cities handle the development review process today. Time is money even for the public sector. Multiple, overlapping, uncoordinated approval processes increase a city’s administrative costs. It takes but a minimum amount of study time to realize that a significant amount of the City’s DRP staff time is devoted to dealing with breakdowns in the process. Lost plans, confusion between departments and dropped balls create unnecessary work that taxes the revenue sources of the DRP. There are also political, economic and

organizational consequences to the system slippage problems. When a municipality's well compensated planners, engineers and other development review professionals are involved in any sort of process "muddling," it inherently results in higher costs to the consumer. It is for these reasons that streamlining the development review process at the local level is tackled by scores of cities and counties every year in an attempt to make the process more efficient. Those in charge of a city's development process should constantly be asking themselves:

1. Is the development regulation, policy or practice necessary?
2. If necessary, is the regulation, policy or practice being prosecuted as efficiently and consistently as possible?
3. Does over-the-top service accompany the administration of the regulation, policy or practice?

Over time two factors dominated the way local governments managed land development applications, from re-modeling to large multi-use projects. Despite loud and consistent demands for efficiency and less bureaucracy from various forces in the building industry, more regulations, rules and requirements were "stacked on" anyone wanting to build just about anything in the United States. As national building codes were updated and amended, the processing and enforcement requirements became more complex, difficult and therefore costly.

The second factor is that the development applicant, fixer-upper or mega-builder, in a real way became the enemy of the municipality's guardians of the process – the planners, engineers, plans examiners and inspectors. The prevailing relationship was at best semi-adversarial and a negative tension generally existed between the development community and the overseers at city hall. For the most part, the strong degree of push-back by the professional staff can be attributed to how it has long viewed its role. The local government urban planner, land development engineer, plans examiner and inspectional people have been trained to serve the better interests of the community, not those of the

developer who is driven by the profit motive and ever rising costs, the greatest of which is time. Rarely does the best interest concept include the importance of economic development and sustainability. There was also the not so subtle view by the processing bureaucracy that since the developer is “making the big bucks” it was OK for them to run up the costs associated with the review process. That attitude is unfortunately a strong cultural force at certain points in the City’s DRP, illustrated by this comment from a key mid-manager. “We are giving the builders the opportunity to make a lot of money by permitting and inspecting his property so whatever the problem is, it’s basically his.”

In too many instances the DRP approval process is a long and costly kaleidoscopic effort. While unquestionably necessary, the DRP path in most jurisdictions has become troublesome, slow and costly. At the end of the day, whatever time it takes to do necessary “processing” adds significantly to the cost of the project. Ultimately, it is the owner who pays the price.

The wingspan of processing impact is wide – from the smallest single-family remodel to a mega master development. Builders and developers of all types of housing, and more importantly potential homeowners, are all affected by the increasingly high costs of developing land for home construction. Builders and developers must pay interest each month on the money they borrow to buy land, hold it until approvals are obtained, and eventually build homes on the land. Although the estimates vary, studies such as those conducted by the National Council of States on Building Codes and Standards generally agree that every month of delay in the approval process adds close to 2 percent to the final price of a home.

The direct and indirect costs that stem from the delay and uncertainty associated with lengthy and complex approval procedures; numerous and often conflicting resource protection standards; and fees assessed on development are true costs that add to the consumer’s price of a home. These additional costs have the

potential to affect not just eventual product cost, but, and even more so in this era of economic meltdowns, project feasibility. The proportion of total costs that processing delays and uncertainty add is even greater for more affordably priced housing, fundamentally affecting who can afford to purchase a home.

At a broader level, such impacts on housing affordability have social equity implications. As the National Council of States on Building Codes and Standards (NCSBCS) notes in its report, *Making Housing Affordable: Breaking Down Regulatory Barriers; A Self-Assessment Guide for States*, “Regulatory barriers that unnecessarily raise the cost of housing or limit the supply of affordable housing have pernicious effects on our society, especially on those who do not have the wealth to live wherever they want. Where you live - where you are able to live - provides you not only with access to jobs but also access to quality of education.” Put a different way, as the development processing costs increase, the number of qualifying buyers at the core of society diminishes even more dramatically. Few in the DRP staff take this into consideration when they perform their role in the complex process of managing the development of land in the City. More often than not they see themselves as regulators rather than social engineers who have the ability to influence affordable housing opportunities in the community.

3.6 Summary and Assessment

For years prior to the current economic decline that will change the land development process forever across the country, builders in Southern Nevada had the financial wherewithal and time to work their way through a cumbersome development review process. There was so much demand backed up in the pipeline that they were pretty much willing to accept time delays, inconsistent code application, poor process management, personal preferences by the staff and lost documents as the price they needed to pay to “stay and play.” In the

end the inefficiencies of the development review process by the municipalities were levied against the final owners and/or users of the property – homeowners, small businesses, etc. But now, in a very real way, the City of Las Vegas' development community needs a DRP that:

1. Uses doable and performance-based codes;
2. Publishes and adhere to in-house policies and practices;
3. Is consistent in the application of codes;
4. Is predictable; and,
5. Offers a faster and fairer appeal process.

We are now finding that because of the upheaval in the economy, particularly with respect to land development, *predictability* has emerged as one of the development customer's prime concerns. Before the current economic problems emerged, time was equal to a *lot* of money, and therefore it was apparent how meaningful the time savings was to the development community. Now that time is not as valuable, the same thing is still critical, but it is referred to as predictability because very little is predictable in the land development world today – not the market, not the value of land, not the ability to finance, etc. What the Las Vegas development community now needs, far more than before, from the City's DRP is the predictability that will give developers the ability to respond quickly to changes in plans that are mandated by changing financing requirements.

What the land development customer wants now is HELP! – genuine help moving a project through the submittal, review, revision, approval inspection, licensing and occupancy steps of the DRP. The customers want to be engaged as positive partners in the development of the City and while they recognize that the DRP staff has the greater good responsibility, they resent being viewed as the enemy.

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Chapter 4

The Core Issues

4.1 Introduction

This comment made by a long-standing member of the Las Vegas Development community is both insightful and instructive with respect to the industry's skepticism that the DRP will not change appreciably as a result of this study.

"We have been working with at least 5 city managers who sought to turn this culture thing around and were not able to. This is good news someone is looking from the outside."

Recognizing what the core issues are is critical to understanding the elements of the Chapter 5 Action Plan and the recommendations identified in Chapter 6 Findings and Recommendations. The purpose of this background chapter is to help the reader understand the individual recommendations and implementation process discussed in the final two chapters of this report. The three core issues that must be dealt with are:

1. The departmental silo effect;
2. The organizational culture surrounding the DRP work place; and,
3. Re-engineering more efficiency into the DRP.

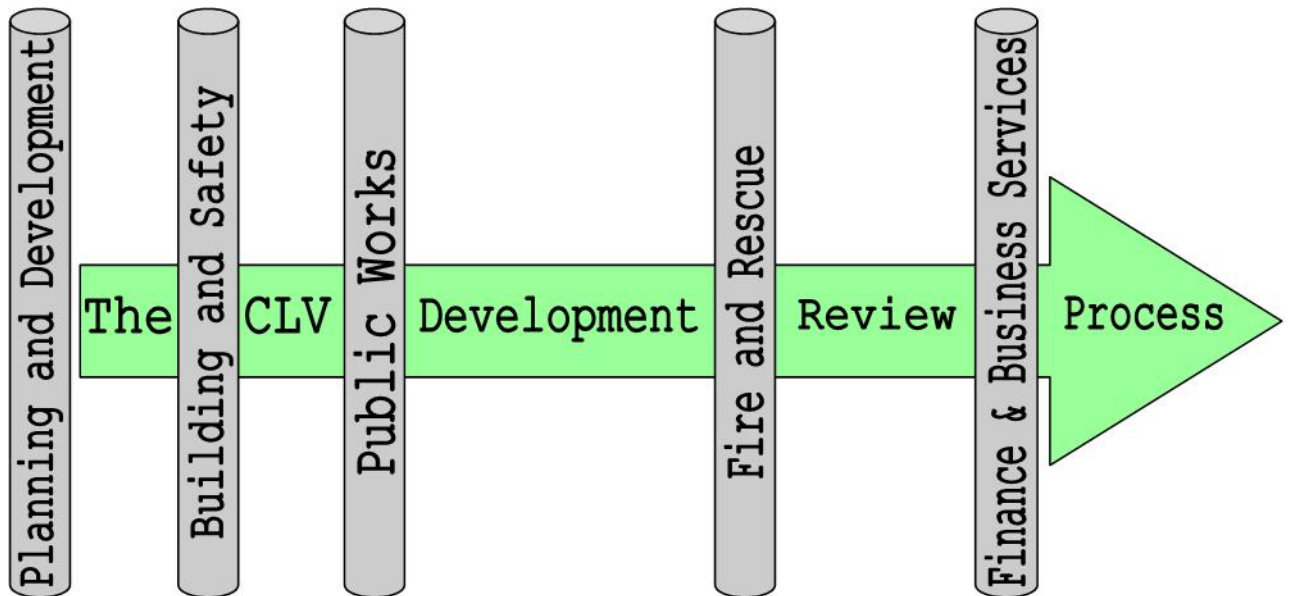
These three core issues are discussed in the next three sections of the report.

4.2 Departmental Silos

The customer has to work his/her way through at least five functional silos in the DRP – the Departments of Planning and Development, Building and Safety, Fire

and Rescue, Public Works and Finance. Exhibit 4.1 illustrates this.

Exhibit 4.1
City of Las Vegas' Development Review Process Silos



A silo is a metaphor for organizational units that contain their own management team and talent and lack the motivation to work as well with other silo organizations as they do within their own work units. Virtually all large organizations are collections of silos. The City of Las Vegas is a collection of service silos, with many of the departmental silos having silos within silos. For example, even though the Fire and Rescue and Public Works Departments are responsible for certain aspects of the DRP, each has a different primary mission and is structured accordingly. The same is true for the Building and Safety, Planning and Development and Finance and Business Services Departments.

Because of the functional silos and different organizational culture there will be pushback by the organization as it attempts to facilitate the management and processing of land development. While in simple terms the solution is the development of silo-spanning initiatives and the “right” organizational culture for efficient development processing, the fact is, most organizations that are trying to improve their DRP focus on the mechanical aspects of the process. In other words, they try to connect the dots in the application process in a more timely and smoother way. Efficiency studies are followed by directives to eliminate a step, consolidate a function, better software, enhanced technology, etc. While necessary and important (this report will identify some specific efficiency measures), these operational adjustments can only yield so much. In order to optimize the efficiency of its DRP, the City of Las Vegas will find it necessary to reduce the silo isolation among the development related departments, and create a more unified and positive organizational culture for the individual department’s development review personnel to work in.

4.3 Organizational Culture

The purpose of this section is to explain in more detail what organizational culture is, and how it affects the operational change attempt that will be necessary to improve the DRP, what the existing cultures of the DRP departments appear to be, and discusses a way that the organizational culture surrounding the DRP might be diagnosed and changed. Each of the City of Las Vegas’ departments having responsibility for the DRP has different and distinct organizational cultures. When sub-cultures within an organization compete or are in conflict with other sub-cultures, there is no way that optimum efficiency can be achieved.

How things get done, what is important, and what has priority in the Fire Department is substantially different than is the case of the Public Works Department. Even the Building and Safety and the Planning and Development

Departments, which are devoted exclusively to managing the land development process, have different organizational cultures. Some of the organizational sub-culture differences in each department that a project or application must contend with in the DRP are:

- Dominate characteristics (safety is a more dominate issue in the Fire and Rescue Department than it is in the Finance and Business Services Department);
- Strategic Emphasis;
- Management of employees;
- Departmental leadership;
- Criteria for success; and,
- Department glue (what holds the department together).

Without the necessary attention given to modifying the DRP organizational culture, any attempt to implement the “efficiency” recommendations necessary to make the process work better identified in Chapter 6 Findings and Recommendations will be seriously inhibited. There is overwhelming academic research and case-in-point evidence that when organizations implement quality initiatives such as re-engineering, TQM and downsizing *without* an accompanied fundamental change in the culture of the organization, there is less than desired enduring improvement in organizational performance. A primary reason for the failure of so many efforts to improve organizational effectiveness, which is the purpose of the *Development Review Process Efficiency Analysis*, is that, whereas the tools and techniques may be present and the change strategy implemented with vigor, *failure occurs because the fundamental culture of the organization remains the same*. Organizations that have used the one dimension approach to implementing quality initiatives in order to enhance effectiveness have fallen short of the desired mark.

Conversely, there is almost no evidence that supports the theory that re-engineering alone, or any other such quality initiative, is enough to achieve desirable change. It has been this consultant's experience, as operational managers of large and small public organizations and efficiency consultants to the public and private sectors, when the procedure was treated as a technique or program of change, not as a fundamental shift in the organization's direction values and culture, little long-term gains were made.

The bottom line is that the successful implementation of the *Development Review Process Efficiency Analysis*' recommendations will also require that the improvement strategies be deeply embedded in a workplace culture change. What this will require is a systematic culture diagnosis and change from the current state of the organizational culture to a preferred culture for the future.

According to Cameron and Quinn, two University of Michigan professors who have studied organizational culture in businesses, the dependence of organizational improvement on culture change is due to the fact that when the values, orientations, definitions, and goals stay constant - even when procedures and strategies are altered - the organization returns quickly to the status quo. Without an alteration of the fundamental goals, values, and expectations of the organization, change remains superficial and short-term in duration. And failed attempts to change, unfortunately, frequently produce cynicism, frustration, loss of trust, and deterioration in morale among organization members.

The reason organizational culture is typically ignored as an important factor in accounting for organizational performance is that it refers to the taken-for-granted values, underlying assumptions, expectations, and definitions present in an organization. It represents "how things are around here." It reflects the prevailing ideology that people carry inside their heads. It conveys a sense of identity to employees, provides unwritten and, often, unspoken guidelines for

how to get along in the organization, and enhances the stability of the social system that they experience. Unfortunately, people are unaware of their culture until it is challenged, until they experience a new culture, or until it is made overt and explicit through, for example, a framework or model. Culture was ignored for so long by managers and scholars because it is simply undetectable most of the time.

An excerpt from a letter co-written by the AIA Las Vegas Executive Director and Chairman of the Codes Committee offers an insightful view regarding the importance of culture as it pertains to the DRP.

8. **"The Culture Challenge.** The City Building Department can at times be somewhat difficult and unhelpful. Design professionals often feel it's an 'us against them' mentality. It is difficult to understand why the City Building Department doesn't embrace more of a team approach with the Las Vegas development community. We desperately need a strong and sincere commitment to "customer services." This would represent a dramatic cultural shift within the building department, and would position us to address all our issues together. The current culture has been institutionalized, as deeply engrained, **but if we can 'fix' just this one problem, we believe all the others would fix themselves** (emphasis ours)."

Inside the DRP departmental organizations are additional sub-units and functional groups (inspectors, plans examiners, engineers, planners, etc.) that reflect their own unique cultures. Routine difficulties in coordinating and integrating processes or departmental activities are often a result of culture clashes among different subunits. One reason is that each different unit often has developed its own perspective, its own set of values, its own culture. These cultural differences can fragment an organization and make high levels of effectiveness impossible to achieve.

A strong, positive culture is a powerful management lever for guiding behavior because it helps employees do their jobs in two ways. First, a strong culture is a system of informal rules that spells out how employees, supervisors and

managers are to behave. By knowing what is expected of them, employees will waste little time in deciding how to act in a given situation. Second, a strong and positive culture enables people to feel better about what they do, so they are more likely to work harder. It is estimated that an organization can gain as much as two hours of productivity and increased efficiency per employee per day with a strong, positive organizational culture. Because workplace culture has such a profound effect on employees and their productivity, a negative culture will greatly diminish the organization's capacity for performance. For these reasons the solution to many problems within an organization can be solved by modifying the culture of the organization, a challenge but nevertheless a requirement to effectuate real change. Exhibit 4.2 lists some of the traits that are associated with a positive organizational culture of a government agency.

Exhibit 4.2
Traits Associated with Positive Organizational Culture

- Meeting deadlines is expected by everyone
- All staff, including managers, are held accountable for their actions
- Customers deserve the best of treatment
- The workplace atmosphere is professional
- The staff take pride in its ability to work as a team
- Gossip, favoritism and complaining are rare
- Work product excellence is the norm
- Supervisors and managers help their charges deal with personal problems
- Continued education and training is encouraged
- The organization's mission is understood
- Information is shared

Exhibit 4.3 on the following page identifies some of the workplace traits that are associated with the culture of a government agency that is negative. If these traits exist in the DRP they need to be modified to more positive traits.

Exhibit 4.3
Traits Associated with Negative Organizational Culture

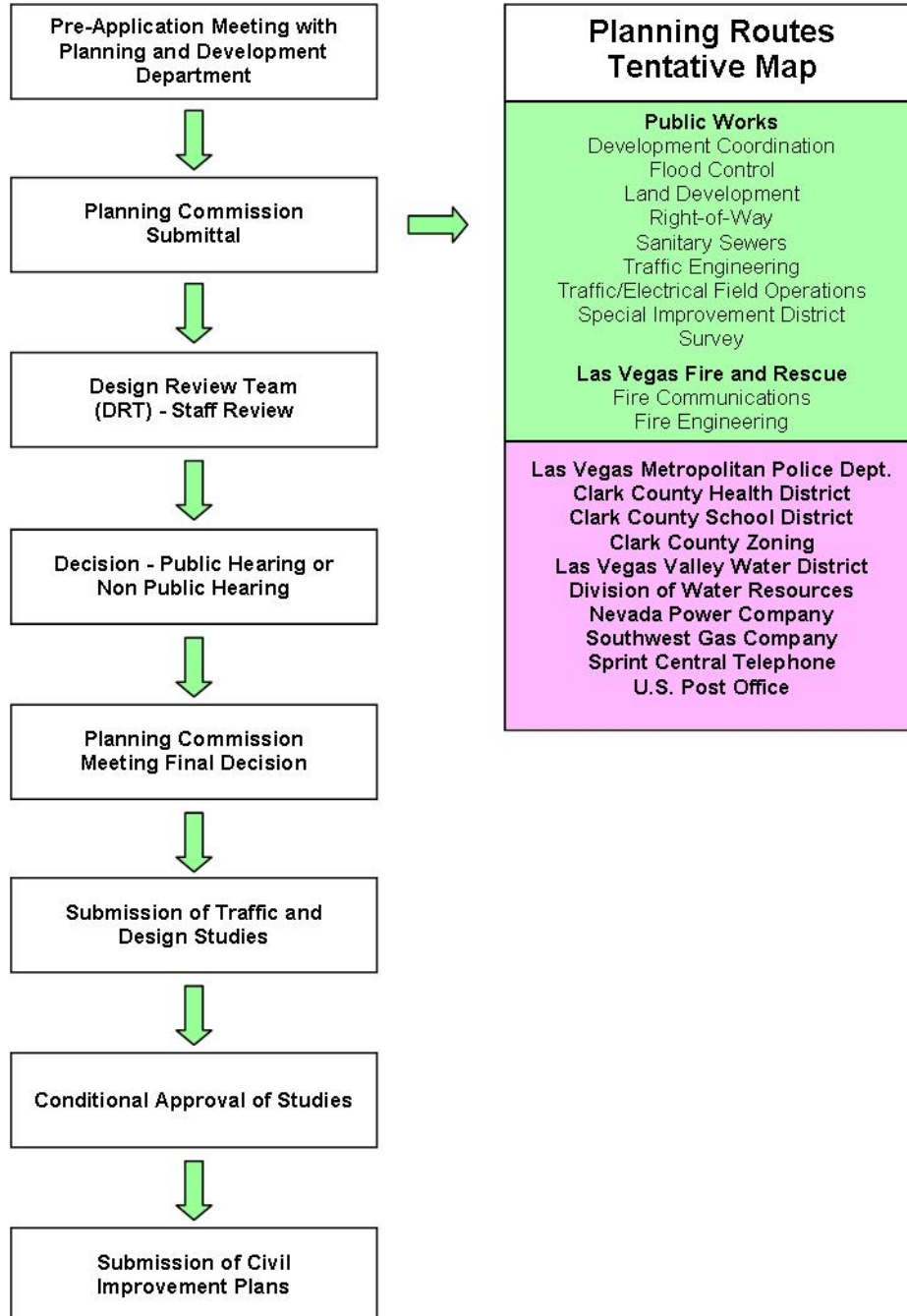
- Conflicting direction is not unusual
- Some employees are treated better than others
- Performance objectives are unclear
- Management is not open to employee suggestions
- Buck passing is the norm
- Performance compliments are rare
- There is little delegation of authority
- Employees come and go as they please
- The promotional process is unclear
- Supervisors work “bankers hours”
- Written rules are vague and used selectively
- Vacations and business trips have priority over schedules and deadlines

The key to the successful implementation of the changes identified in Chapter 6 Findings and Recommendations is the positive modification of the organizational culture surrounding the DRP. Doing this will be as important as making the structural and operational changes necessary to improve efficiency.

4.4 The Process

On paper the design of the City’s DRP is easy to follow and clearly identifies the sequence of events that must take place. This is illustrated in Exhibit 4.4 on the next page. In reality, at least it is a complicated exercise involving many people, the coordination of activities and sometimes complicated decision-making. The situation is further exacerbated because the process often includes the necessity of incorporating the rules and regulations of other governmental jurisdictions whose interest can be different than the City’s. When a wheel falls off in the DRP, internal or external, it is a nightmare for the customer.

Exhibit 4.5
The Development Review Process (Tentative Map Schedule)



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Chapter 5

Plan of Action

5.1 Introduction

In the next chapter we proposed ninety-five interrelated opportunities to improve the way in which the City of Las Vegas manages and carries out its Development Review Process (DPR). And, it is likely that this number will increase with a deeper dig by the staff assigned to work on this project.. In order to do more than just clean sand out of the DPR's gearbox, a successful outcome will be dependent upon the comprehensiveness of the actions taken in response to the findings and recommendations. Improving the City's DPR will require a three-pronged approach by management that needs to focus on:

1. Spanning the development related departments silos;
2. Changing the organizational culture to one that is customer driven;
and,
3. Making the processing system seamless.

Experience and research tells us that there are certain common characteristics found in a well-run and highly efficient municipal land development review process. They are:

- A single position that is "in charge" of the DPR at the hands-on management level;

- A commitment to delivering services that match the community's expectations;
- Customer-focused services;
- Transparency;
- Reliance on high-functioning technology; and,
- Information technology support personnel that understand how things are done in the DRP.

The recommendations in the previous chapter and the implementation plan discussed in this chapter of the *Development Review Process Efficiency Analysis* are designed to incorporate these six characteristics in the City's DRP, and transition the DRP from an enforcement agency steeped in a plodding, bureaucratic culture to one which is a partner with its customers in the development community. Exhibit 5.1 illustrates this concept.

EXHIBIT V CLV DRP Organizational Transformation Effort



5.2 Implementation Plan

What is required is a robust, workable plan of action that finds equilibrium between the responsibilities of the department directors who manage the various development related departments, and the Deputy City Manager responsible for development activities (DCM-D). The implementation of this report's recommendations should take place under a formalized project management umbrella. The issues that need to be addressed are too important, too complex and require too much coordination and facilitation to be independently assigned to busy department directors. An aggressive timeline for substantially completing all of the recommendations selected for implementation must be set and the assignment of accountability and responsibility of "who does what" specifically articulated. Some critical steps in the change process of a bureaucracy such as the City's DRP are:

- Identifying the need or opportunity for change;
- Assessing the odds for success;
- Creating a plan for attainment;
- Communicating the new change(s), repeatedly;
- Getting rid of obstacles preventing the change; and,
- Anchoring the change in the organization's new culture.

The goal of greater DRP efficiency will require much more than simply airbrushing together a series of box-connecting flow charts and installing some new procedures. Achieving a seamless process will necessitate significant planning before, and aggressive execution during the implementation phase. To be successful, this undertaking will require the appointment of a Project Manager, an Implementation Committee and an Oversight Committee. Their roles are explained in the following.

The Project Manager needs to be a department director who can drive the implementation with enthusiasm and vigor for a 90-180 day period, and then continue to actively press against the bureaucratic resistance that will emerge. Knowledge of the DRP and its staffing, ability to work with others, a real commitment to customer service and the willingness to make change and encourage others to accept it are among the attributes needed by the Project Manager. The Project Manager should report directly to the DCM-D and also play a significant role on the Implementation Committee. A formal project management methodology needs to be established so that the Project Manager can simultaneously manage the four elements of a project:

1. Resources – staff, technology, equipment, materials;
2. Time – task durations, dependencies, critical path;
3. Money – costs, contingencies, short and long-term gains; and,
4. Scope – project size, goal requirements.

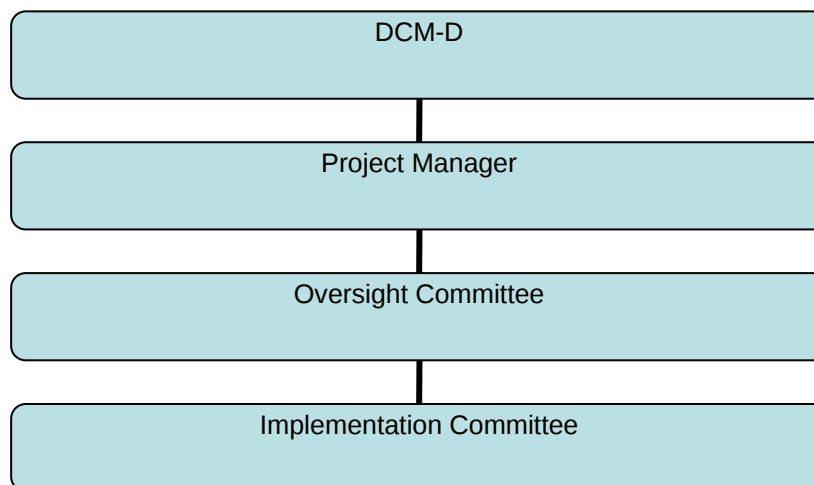
A working Implementation Committee that meets on a weekly basis to help the project manager prioritize, implement and monitor the changes necessary to make the City's DRP more efficient and customer friendly needs to be appointed by the DCM-D. This committee should be comprised of those qualified mid-managers, supervisors and front-line senior staff who are sufficiently insightful, knowledgeable and *willing to make changes*. They need to understand that the City's economic future, to a great extent, will depend on how well the DRP gets adjusted so it might fit into the new world order of land development. There is no place at this table for old-school bureaucrats no matter how technically competent they are. Members of the Implementation Committee will do much of the fact-finding and feasibility analysis necessary to convert the consultant's recommendations into formal practices and procedures. The more people who are involved with this challenge, be they members of the Implementation Committee or other staff engaged in the study or review of a specific

recommendation(s), the better the likelihood for internal acceptance, which is the foundation of change in any organization.

In order to assist with the implementation of the study's recommendations, an Oversight Committee comprised of the directors of the development review related departments and the Directors of Information Technology and Human Resources should be created. This committee, also chaired by the Project Manager, should meet on a monthly basis for the purpose of reviewing and guiding the progress being made by the Project Manager and Implementation Committee.

Exhibit 5.2 illustrates the structural relationship between the DCM-D, Project Manager, Implementation Committee and Oversight Committee with respect to the mission of implementing the efficiency recommendations. Once the implementation effort has been completed the Oversight Committee can be disbanded unless the DRP is structured for administration and operations under the collaborative concept discussed later in this chapter and illustrated in Exhibit 5.6

Exhibit 5.2
Implementation Project Organization Structure



5.3 Spanning the DRP Silos

As previously discussed in Chapter 4 The Core Issues, there are five department silos that need to be spanned. So long as the development related departments continue to operate in relative isolation and without an over-all and active boss of the DRP, the process will remain fractured, uncoordinated, inefficient and therefore more expensive than necessary. The critical structural issues that need to be addressed with respect to silo-spanning in any organization are: (A) Placing the silos under a single qualified administrator; and, (B) Minimizing the number of silos reporting to the administrator.

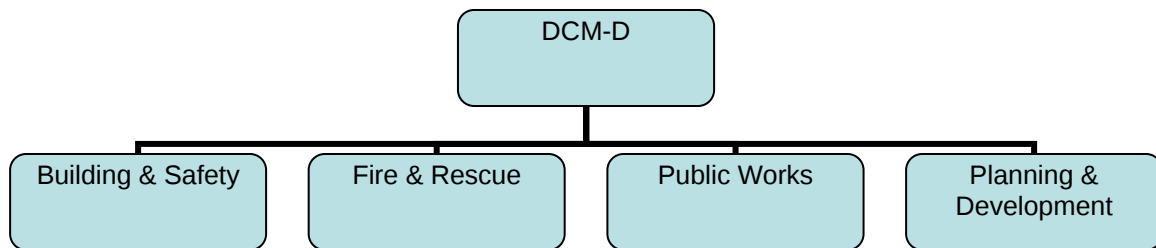
The City's recent decision to place most (four of the five) of the development related departments under a single Deputy City Manager who has substantial experience with development matters is a gigantic step in the right direction. In fact, it gives the City for the first time in years the real opportunity to radically improve the DRP to the level expected by the City Manager. This decision inserts at the proper level of the City's chain of command a position with the sufficient authority to take complete charge of the DRP, including the implementation of this report's findings and recommendations. However, and to an extent which cannot be over-emphasized, the DCM-D must have *enough time* to oversee the changes necessary to increase the efficiency of the DRP. The implementation effort necessary to make the changes recommended in the *Development Review Process Efficiency Analysis* are extremely challenging and will require much of the DCM-D's time and attention for the next 90 -180 days.

The organizational structuring options and models discussed in the following pages are based on the *time availability* of the DCM-D to implement the report's recommendations as well as those which emerge from the involvement of the Implementation Committee. Without the time necessary to actively participate in

process that will result in many meetings, discussions and research, the DCM-D will not be able to be engaged to the extent necessary.

If the DCM-D can devote a sufficient amount of his available time toward the implementation of the report's recommendations, including the difficult challenge of beginning to change the DRP culture, then there may be no need to change the existing organizational structure that reports to the DCM-D. Exhibit 5.3 on the next page illustrates the current reporting relationship of the development related departments.

Exhibit 5.3
Current Development Related Departmental Structure

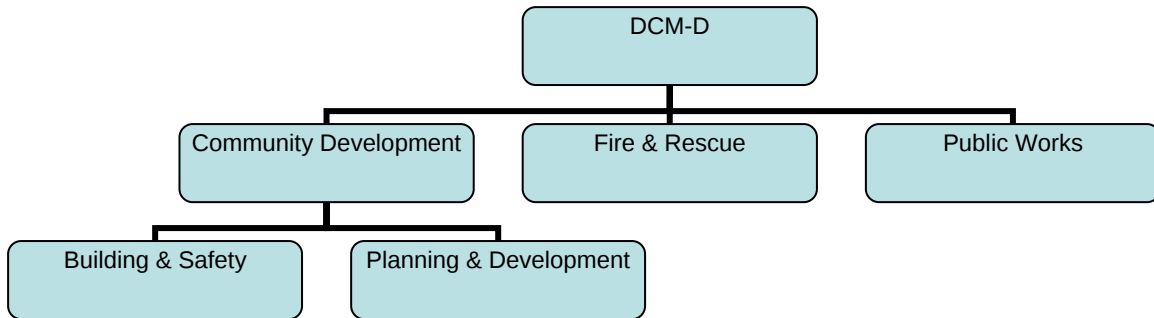


Note – The other DRP related work unit, Business Licensing, is a division of the Finances and Business Services Department.

But, if DCM-D's time is limited, then two "merger" options for minimizing the departmental silos should be considered. They are:

Option A – Merge the Planning and Development Department with the Building and Safety Department into a Community Development Department. This is a common consolidation of development functions and services in a municipality and with a qualified department director in charge there is no reason why it would not be successful for the City of Las Vegas. Even with the consolidation of these two functions, the newly created a Community Development Department is manageable in terms of size and activities. There is no significant downside or risk with this organizational structure and it offers the City the opportunity to further reduce its DRP staff. Exhibit 5.4 on the next page illustrates how this reorganization will reduce the number of departments in the DRP.

Exhibit 5.4
Building and Safety Merger with Planning and Development

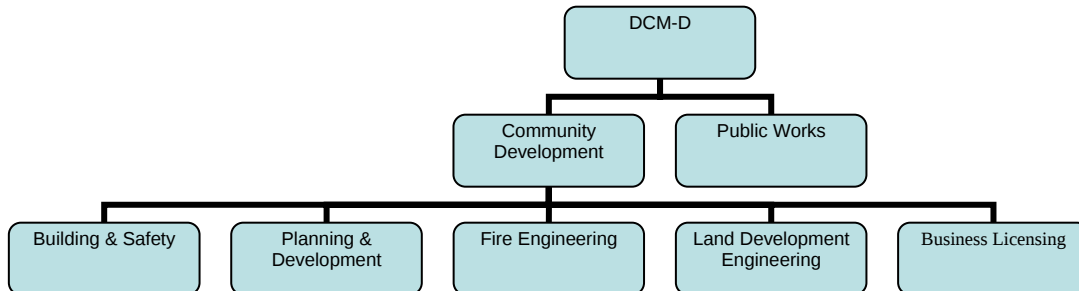


Option B – Merge the Planning and Development Department and Building and Safety Department with Fire Engineering, Land Development and Business Licensing to create a Community Services Department.

This restructuring would integrate all of the DRP activities with the exception of Business Licensing under the direction of a single department director. While fire departments often take the proprietary view that only they can effectively supervise the fire engineering and inspections related to land development; and public works departments might argue that only they can supervise the civil engineering related to land development, the fact is that a qualified department director who is supported with technically qualified managers in charge of building and safety, planning and development, fire engineer and land development engineering can supervise and manage quite efficiently. This organizational structure has three advantages. The first is that it puts most of the DRP work units into a single organization dedicated to a seamless process. Second, it would give the DCM-D more time to devote to other challenges and activities that the CMO is involved with. The third gain is that it would allow three of the organization's busiest department directors, the Fire and Rescue Chief, Public Works Director and Finance and Business Services Director more time to focus on the main mission of their large departments.

Exhibit 5.5 on the next page illustrates how this merger would reduce the number of departments involved in the DRP.

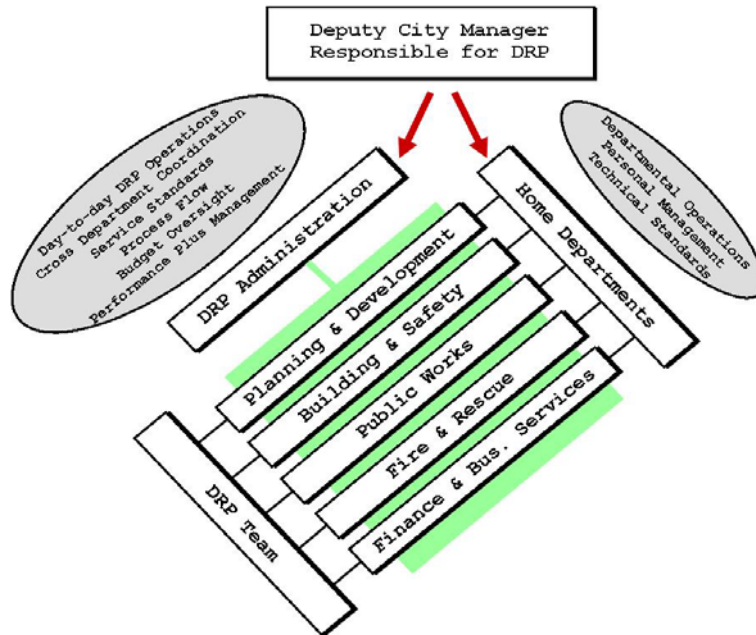
Exhibit 5.5
Building and Safety, Planning and Development, Fire Engineering, Land Development Engineering and Business Licensing Merger



Finally, if structuring and re-structuring discussed in the above, then a “collaborative” management model should be considered. This collaborative approach is designed to better coordinate the management of the DRP without either restructuring or merging departments or elements of departments. The intent of this option is to successfully span the development review departmental silos with a senior manager (referred to in Exhibit 5.6 as DRP Administration) who is positioned in the chain of command between the DCM-D and the department directors. This position functions as the “coordinator” of the DRP. If this model is used, then the “home department” directors serve as the Oversight Committee and remain responsible for departmental operations, personnel and the technical standards used in the DRP. The DRP Administration position would be responsible for cross-department coordination, managing the Development Services Center, service standards, process flow, budget oversight and the Performance Plus measures related to the DRP.

Exhibit 5.6 on the next page illustrates the organization as it would look under the Collaborative Organization Structure for the DRP.

Exhibit 5.6
Collaborative Organizational Structure for the DRP



5.4 Changing the DRP's Organizational Culture and Making the Process a Seamless System

Once decisions have been made regarding the way in which the DRP work units will be structured and the implementation plan designed, then the other two elements of this comprehensive problem-solving challenge – organizational culture modification and processing system changes – can be dealt with in a logical and comprehensive manner. Recommendations for accomplishing this are contained in Chapter 6 Findings and Recommendations. The Project Manager, Oversight Committee and Implementation Committee, working under the direction of the DCM-D should do the following with respect to the recommendations:

1. Determine which recommendations do not need implementation;

2. Decide which ones need additional study before a rejection/acceptance decision is made;
3. Prioritize the remaining recommendations;
4. Assign implementation responsibility to specific individuals;
5. Set the deadlines for completion; and,
6. Meet on a regular basis until the implementation effort has been completed (weekly for the Implementation Committee and monthly for the Oversight Committee) to:
 - Monitor progress; and,
 - Consider DRP staffing reductions on the individual and collective basis of the recommendations that are implemented.

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Chapter 6

Findings and Recommendations

6.1 Introduction

These findings should not be interpreted as a negative view of any department associated with the development review process (DRP) but rather as *opportunities for improvement* that came about as a result of the staff's ideas, customer input and analysis by the consultants. Nor should the reader ignore the recognition that for the past two decades the staff has effectively processed thousands of applications that have contributed immensely to the safe development of the City and the enablement of its economic engine.

It is also important to understand that for the past years there has been so much development in the City of Las Vegas that the staff didn't have the time or resources needed to focus on making the system more efficient. Faced with the daily challenge of processing more and more, the time to fix the system didn't exist. Time constraints reduced the ability of the staff to actually study many of the known processing problems and then consider the different ways to resolve them. Corrections and adaptations were made on the run and against the ever-pressing workload coming through the pipeline. Now, the dramatic decline in development gives the City an opportunity to study these findings and the others

that will emerge during the implementation process so that the necessary changes can be made.

Understanding the context in which these findings and their recommendations are presented is imperative to understanding what the problem is. The problem is an out of sync *processing system* that is driven by a management philosophy that is “old school” and enforcement centric. The problem is not, for example, that the plan examiners lack skills or the inspectors aren’t sufficiently trained but rather the *exchange* of knowledge and information as an application moves through the process. It is similar to having very fast runners on a 440 relay team who have trouble handing-off the baton. No matter how fast each runner is, the team can’t effectively compete until it gets the three baton exchanges in every race right.

The vast majority of these findings were identified by the employees who work in the DRP. When a department director tells you that, “Tracking down a project in the process requires checking in with a lot of people,” and a mid-manager is insulted rather than being just a bit embarrassed or concerned by information the City solicited from the development community, the case for a serious change in operational dynamics is no longer arguable. It is also important to recognize that these findings relate to the DRP as a ***process*** rather than how individual departments function. The findings are organized into four categories:

- Process and process management;
- Organization structure, supervision and management;
- Technology, business systems and performance measures; and,
- Organizational culture and customer service.

The focus of the *Development Review Process Efficiency Analysis* was restricted to the way in which land development is managed from initial application to

occupancy approval and in some cases, business license approval. Although not within the scope of this analysis, it is appropriate to mention that there is solid evidence that for the most part the individual departments are performing at a high level with respect to their independent missions. DRP intra-departmental efficiency is much higher than inter-departmental DRP activities.

The recommendations contained in this chapter are intended to help transform the DRP into a cohesive customer driven entity that subscribes to certain values, makes decisions on the basis of facts and operates within a definable business structure. If they are implemented in a timely and comprehensive manner there exists the real opportunity to significantly reduce the DPR staff (with the Building and Safety Department being the exception). The Building and Safety Department has already reduced its workforce to the point it actually needs more staffing. The intended outcomes of implementing these recommendations are:

- Quality construction in the City of Las Vegas;
- Comprehensive reviews;
- Correct sequencing for processing project documents;
- Accessible information;
- Timeliness and responsiveness;
- Simplicity;
- Low cost, perceived value;
- Consistency and predictability;
- Accountability; and,
- Safe buildings.

The consultant's recommendations for each finding are included in the next three sections of the report. It is important to recognize that these recommendations are included as a starting point for the Implementation Committee. Given the knowledge base and DRP experience of the Implementation Committee

members, it is expected that the recommendations will be expanded to a greater level of detail.

6.2 Process and Process Management

Finding No. 1 – There is no identifiable position responsible for tracking and moving an application or project through the DRP.

Recommendation – All submissions that enter the DRP process should be assigned to a specific person/position responsible for monitoring the efficient review of the documents through the system. Many of the uncoordinated reviews in the existing entitlement phase create a time consuming “conga line” effect. An example would be the developer who submits a utility plan to Land Development in which the utility box locations have been determined by either Nevada Power or the applicant. If the plans are not routed to the Planning and Development Department at the appropriate time there is no opportunity for its review until after the installation takes place and the inspectors note that the utility box locations are not in compliance with the code.

Finding No. 2 – Changes in policies, code interpretations and the way things are done are not always effectively communicated with the development community or other DRP staff on any sort of regular basis.

Recommendation – Develop an administrative process to publish and distribute (hardcopy and electronically) changes in code interpretations, policies and procedures in a timely manner. These changes without notice inevitably result in higher costs when the design community has to redesign and the builder has to re-build. It is also costly in terms of the staffs' time necessary to administer unpublished changes. A model for this is the Building and Safety Department's recent adoption of publishing, both electronically and hardcopy, all changes made upon review by its internal code and policy interpretation committee and the current effort of including them on the City's website.

Finding No. 3 – The City's entitlement process with respect to Special Use Permits pushes the decision making process up to the council on an all too frequent basis. This is one of the highest time consumers in the DRP.

Recommendation – Use the recommendations made by the Planning and Development Director in the TXT-23848 Staff Report dated September 13, 2007 as the basis for improving the entitlement process. This well thought out recommendation would allow Planning Commission

to take final action on most Special Use Permits. The consequence of this practice, which is generally consistent with the other jurisdictions in the region, would reduce the timeframe for the approval process, and the amount of staff time spent processing applications (thousands of staff hours are dedicated to this annually). It would also allow the city council to devote more time to other pressing matters.

Finding No. 4 – The plans check process is more sequential than concurrent.

Recommendation – Re-engineer the DRP so that plans, to the extent possible, move concurrently among the City's work units. A requisite for this change is determining how many sets of plans are required for a simultaneous review at the various points in the process, and developing an effective system that tracks and records results of land use approvals, study reviews, plans reviews, etc. An appropriate Performance Plus metric(s) should be devised to measure the degree to which concurrent plan review is occurring. Acquiring the electronic plans submittal technology discussed in Finding No. 72.

Finding No. 5 – There is no single comprehensive desk manual that explains the DRP.

Recommendation – Task a qualified staff member(s) to write a comprehensive desk manual. This manual should arrange the development components from broader requirements to more technical subject matter and the identification of permitted land uses and classifications. It should clearly describe the entitlement process; property improvement regulations and criteria for developing real estate parcels; building safety regulations and construction standards that apply to structural integrity and livability; off-site improvement regulations for designing, maintaining streets, utilities and municipal infrastructure systems; and business licensing requirements. This manual should also reference the construction standards and provide for the inclusion of recent code and appendix changes.

Finding No. 6 – The value of the bonds posted on some of the uncompleted projects is substantially less than the cost of the improvements necessary for completion.

Recommendation – Review the current methodology for determining the amount of bonding insurance necessary to insure that a project is completed as per the requirements imposed on it by the City. The result of "calling in" an insufficient bond on a take-over project is that the City is forced to carry some of the build-out costs.

Finding No. 7 – There is no consistency with respect to “calling in” bonds on projects that have not met their completion deadlines. The impact of this is customer frustration and the cost of the staff time needed to resolve the issue.

Recommendation – Produce policies and procedures that insure a timely review and predictable action with respect to outstanding bonds. Communicate of this requirement in writing to the customer early in the process and at the appropriate point as the construction nears completion.

Finding No. 8 – Developers often claim to be unaware of the requirement of having to post a warranty bond for a completed project with public improvements.

Recommendation – Aggressively communicate this requirement by the City with a timely notice toward the end of project construction. This will reduce the amount of staff time necessary to work through what is a relatively frequent and problematic customer service problem.

Finding No. 9 – As the City’s inventory of undeveloped land is reduced by new construction activities, the development trend will shift to infill development and downtown projects.

Recommendation – It will become necessary to entice investors to finance projects in the mature and aging sections of the City. The DRP must modify its construction and entitlement conditions to accommodate the re-building effort. As long as many other development opportunities exist in the Las Vegas valley region, developers will avoid re-build opportunities in Las Vegas because other opportunities will be less costly. To be effective, downtown development and retro-fit permitting will require a more flexible approach than is currently used by the City for new construction on open land. In addition to code changes the City needs to coalesce a special team of planners, plans examiners and inspectors who have the capacity to approach infill and redevelopment projects in new and more creative ways than currently exist. The goal of building safety needs to be augmented with the need to create economic vitality in the heart of the community. Converting mature downtown retail buildings into taverns and restaurants will require significant modification of the existing building and safety codes that while accommodating the redevelopment of existing buildings, will still protect the public’s safety

Finding No. 10 – There has been no regular semi-annual or annual 360 review of the DRP.

Recommendation – Review the process on a regular basis. Those in charge of the DRP should convene a team to study the process on the basis of “are we doing things the most efficient way?” An element of this research should be the inclusion of ideas and advice from all of the employees who work in the DRP.

Finding No. 11 – DRP managers are frustrated that the City Attorney’s Office opinions with respect to land use matters are inconsistent.

Recommendation – Mitigate this common problem through a formalized training and communications effort between the land use lawyers in the City Attorney’s Office and mid and upper management from the development related departments who are responsible for the DRP.

Finding No. 12 – There is limited coordination between the DRP work units in the review of applications and plans.

Recommendation – Hold supervisors and mid-managers accountable for their work unit’s coordination with other DRP work units. This effort should be predicated on a “zero tolerance” expectation and preceded by an effort of educating management and supervisory personnel about the details of the DRP, including where the friction points are in all of the work units.

Finding No. 13 – The codes used by the Business Licensing Division and the Planning and Development Department contain differences that impede customer service and waste staff’s time. For example, a certificate of occupancy cannot be issued until the business license has been issued. When this is not a smoothly coordinated process the opening of a building can be delayed which usually is a costly and frustrating event.

Recommendation – Undertake a joint effort by the Planning and Development Department and Business Licensing Division to resolve these discrepancies and then codify the changes.

Finding No. 14 – Although generally available if one searches for it, information is not readily shared between development review departments. For example, the Development Application Process presentation is an excellent reference tool that few staff outside the Planning and Development Department know exists.

Recommendation – Use a systems analysis approach to identify the data and information that is needed on an inter-departmental basis between development review departments and make it available electronically.

Finding No. 15 – Obtaining accurate information pertaining to some of the DRP activities such as the number of plans required for a project, is sometimes difficult.

Recommendation – Create the organizational structure necessary to manage information among the development related departments and the records management system necessary to efficiently collect, inventory, assess and share all pertinent DRP information.

Finding No. 16 – The Planning and Development Department annually re-inspects after issuance of the certificate of occupancy, for compliance with all requirements of Title 19 and all Conditions of Approval imposed by either City Council or the Planning Commission.

Recommendation – Consider either extending the re-inspection period to 24 months or a random selection basis. While the benefits of an annual compliance inspection are obvious, the continued additions to the inventory of properties needing inspection will periodically require an increase in staff.

Finding No. 17 – There is a concern in both the development community and among the DRP staff that the frequency of plan review and inspection inconsistencies is excessive and that inspectors almost always “trump” plan examiners. This can cause a costly shut-down in the construction of a building.

Recommendation – Implement the training, supervision and recordation necessary to elevate consistency and predictability to a top DRP priority. The DRP is a regulatory process, and the cornerstone of any government regulatory process is consistency in its application of regulations and requirements. Inconsistent behavior by a regulatory agency leads to public mistrust, costly mistakes that must be absorbed by the property owner and the inefficient use of staff time.

Finding No. 18 – The language in Title 19 allows for the applicant to appeal anything (when filed appropriately on the next council agenda) that the Planning and Development Department does in its review of an application.

Recommendation – Limit the conditions under which an applicant can appeal. This action will improve the quality of first reviews and the amount of staff time expended recycling applications back to the City Council.

Finding No. 19 – Five separate inspections are required to close-out a project.

Recommendation – Consolidate some of the close-out inspections. Because of the scheduling difficulties, staffing demands and the customer

costs associated with multiple inspections, many municipalities have consolidated at least some of their final inspection practices. While this type of effort may require additional training and will require more stringent supervisory practices, the fact is, it is a doable and commonplace industry practice. The major argument against any proposal to consolidating some of the final inspection events is the inability to remember several codes. This can be overcome with training, proper supervision and the ability to access code information from the field.

Finding No. 20 – In the single family dwelling (SFD) tract permit process it is not unusual for an application to sit for weeks waiting for offsite inspection and testing (OIT) holds to be removed.

Recommendation – Devise a system that will allow straightforward SFD projects to move ahead with the approval of the City's supervisor responsible for managing the OIT.

Finding No. 21 – Lost or misplaced plans in the Development Review Center (usually caused by removing a set of plans from the bin and not appropriately noting it) waste a considerable amount of staff time and can result in an unnecessary cost for the customer.

Recommendation – Put in place a plans management system that accurately monitors the physical location and staffing responsibility for all plans submitted to the development related departments. Other than a catastrophic event, there is no acceptable excuse for lost or misplaced plans or document submittals that have been entrusted to a government. Each lost or misplaced plan or document submittal incident should be thoroughly examined by management.

Finding No. 22 – There are occasions when unique or complex decisions are made at the plan check level without appropriate input from the inspection staff.

Recommendation – Involve inspectors with the review of unusual plans that have the potential for interpretation differences in the field. The costs related to a construction delay caused by unresolved differences between plan examiners and inspectors can be significant and should be treated as the City's responsibility.

Finding No. 23 – It is the policy of the Fire and Rescue Department not to send out inspectors if any building has only a partial pass or is not approved – even though the work for the Fire and Rescue Department's inspection is ready.

Recommendation – Change this practice so that it is more accommodative to the customer. The insistence of Fire Engineering

on its position in the order of linear review process is understandable but must be considered on the basis of the fact that it is only a component of the DRP.

Finding No. 24 – There is a need to assure that the correct occupancy designation is assigned to each business in a structure, and that development reviews are not delayed waiting for business license approval.

Recommendation – Build a system of necessary protocols in the DRP that will assign the correct occupancy designation to all business activities in structures and facilities that are being issued certificates of occupancy

Finding No. 25 – Plan review technicians have to perform a substantial amount of administrative paperwork after the customer enters their work area.

Recommendation – Minimize the amount of administrative information the plan review technician needs to collect from the customer. More efficient forms, a customer work area with necessary electronic equipment and reception assistance should be considered. The banking industry's model of assisting customers before they deal directly with a cashier is an example that might be studied.

Finding No. 26 – When performing special projects for their supervisors, plan check technicians are frequently distracted by the public.

Recommendation – Provide the plan check technicians with a workspace layout that allows for uninterrupted work. While the public distraction element might be seen as a minor issue, studies and experience tell us that this type of interruption is a costly and counterproductive consequence of a poorly designed workspace. The goal is to minimize unnecessary interruptions.

Finding No. 27 – The level of dimensional information required for land use entitlements is significantly less than the engineering provided during the civil plan and permit review process. With the conditions of approval rigid, and the legitimate need for site engineering changes (utility boxes, finished floor elevations, etc.) to take place after the public hearing process has concluded, a review of condition (ROC) is always required if the property owners want to pursue the needed change. The ROC adds at least 60 days to the development timeline.

Recommendation – Require the property owner applicant to attend a post approval conference after the civil plans and building plans have been submitted and have gone through the first review. With respect to

this there are two alternatives: (1) Require the property owner to return to the City Council for final review of the approved site plan after the initial site engineering has been completed, thereby maintaining the public's interest: or (2) Require the owner, contractor, architect and engineer to meet with the DRP staff and discuss if issues identified during the first review of the project are enough to warrant City Council approval of the proposed site modifications, or if the proposed site modifications "substantially comply" with the original approval.

Finding No. 28 – The intent of a condition imposed by the plan review staff from the different development departments is sometimes confusing to the customer. Some Planning and Development staff comments on plan reviews are vague and difficult for the applicant to understand what is expected.

Recommendation – Conditions imposed by the staff should be specific to the extent that the customer has a clear understanding of what is exactly being required by the City. The conditions being imposed by the staff should be viewed through the optics of the customer, with the staff bearing the responsibility for explaining in sufficient detail what is being required as a condition(s).

Finding No. 29 – Although the Centennial Plan provides for relief from Title 19 requirements, only the Planning and Development Department distinguishes the downtown from the suburban areas of the City.

Recommendation – Modify the codes and conditions that are currently being used to manage property development in the downtown area to accommodate retrofit development in confined areas with spatial limitations. The prevailing codes used by the City for the downtown render its development as perhaps the most expensive in the City's environs. The outcome of this inflexibility will continue to drive investors to properties elsewhere and deprive the City of the economic, social and recreational gains a rejuvenated downtown will provide. The overwhelming need to build-out and energize the downtown needs a level of "risk vs. reward" creative thinking that staffers are incapable of unless prodded and encouraged to do so.

Finding No. 30 –The Planning and Development Department's occasional inclusion in the review of dry utility plans has resulted in the approval of plans not in conformance with the approved site plan or Title 19.

Recommendation – Bring the Planning and Development Department into the review of dry utility plans in order to ensure compliance with the approved site plan.

Finding No. 31 – Changes in business license applications that are not routed to Planning and Development have resulted in non-permitted uses being approved.

Recommendation – Devise a system to route business license applications through the Planning and Development Department for permitted use review. This can be accomplished through a reorganization that includes Business Licensing as part of the DRP structure (a division in the Community Development Department), or a simple system processing change.

Finding No. 32 – Elected officials and their liaisons go to whomever they feel the most comfortable with in the DRP for answers to inquiries. This can contribute to staff acting as political wind socks.

Recommendation – Structure a more straightforward system that will insure rapid response to City Council inquiries that can be monitored and managed by the DRP chain of command.

Finding No. 33 – The civil engineer pre-application submissions do not always receive a 360 degree review. For example, Planning and Development can miss requirements such as water pressure needs.

Recommendation – Create a 360 degree process for civil engineer pre-application that involves each work unit having oversight responsibilities for these submissions. The goal is to avoid the toxic mistakes that the customer must bear when the staff's left hand doesn't know what the right hand is doing. An example is the recent confusion over the need for a water tank on a piece of property under review. In this case Fire Engineering required a water tank. The customer installed the piping (which required no review by the Planning and Development Department) for the water tank. At some point later in the process the Planning and Development Department required that the tank be lowered by 10 feet. This changed the water pressure and forced the applicant to dig up the first set of pipes and install larger ones at a cost of approximately \$70,000.

Finding No. 34 – A significant number of the findings and recommendations contained in the recent audit (CAO 0701-0910-0X) of the Case Planning Division by the City Auditor's Office relate to the DRP.

Recommendation – The City Auditor's recommendations and the Director's response should be taken into consideration along with the findings and recommendations contained in this report.

Finding No. 35 – There is insufficient coordination in the DRP of the first and follow-up review documents that are returned to the development customer.

Recommendation – Assign a specific position(s) the responsibility for coordinating review documents. The development of meaningful Performance Plus metrics to measure the effectiveness of this coordinating effort is essential.

Finding No. 36 –The customer has a difficult time working back and forth between the City's DRP staff and the outside agencies involved in the DRP. Among these agencies are Nevada Power, Las Vegas Water Valley Water District, Division of Water Resources, Southwest Gas Company and the U.S. Post Office.

Recommendation – Commit the staffing resources necessary to determine if there is a more efficient way to assist customers in moving their applications/plans between the City's DRP and the outside agencies.

Finding No. 37 –There are no formal timeline commitments between departments with respect to processing and review. Generally speaking, the development related departments focus exclusively on how long it takes their individual work units to process a project, with little attention to how much time the total process takes.

Recommendation – The acceptable length of time it takes for a project to move between the development review departments should be managed by meaningful metrics and assigning “total time” responsibility to a specific position in the DRP.

Finding No. 38 – The process used by Business Licensing to verify zoning when applying for a business license is cumbersome and costly. Some business license applicants are required to travel back and forth between offices at City Hall and the Development Services Center in order to have their zoning verified. Although the verification is done by a front counter planner there is no written verification (official stamp, certification form, etc.) The applicant then returns to the Business Licensing office and verbalizes the information given by the front counter planner.

Recommendation – Provide for telephonic communications between either the applicant at the Business License office and the front counter planner at the Development Services Center, or directly between the Business Licensing staff and the Development Services Center front counter planners. The result will be less travel time by the customer and less time expended by the staff at both ends of the process. The other, and more preferable option is to give the Business Licensing staff access to the same zoning information and data base that the Planning and

Development staff has. It does not take a planning specialist to read and determine the zoning for a particular address in the City of Las Vegas.

Finding No. 39 – The most frequent complaint of the DRP customers involved in this efficiency analysis is the inconsistency between plan check and inspections with respect to plan review.

Recommendation – Use a Performance Plus metric to track inconsistencies and a combination of training and supervision to reduce the frequency of such events.

Finding No. 40 – The threshold of work definition in the fire sprinkler retrofit ordinance (13.3.2.3.5) basically requires the installation of an automatic fire sprinkler system within the entire building whenever “Alterations, renovations, tenant improvements, or any change in occupancy in any existing building...” When this is interpreted as being required when any level of alteration, revision or tenant improvement takes place, its costs can drive away downtown and redevelopment opportunities.

Recommendation – Better define the level of work necessary to invoke the sprinkler retrofit in more specific terms such as a percentage of the floor area or change of occupancy that is different from the building’s most current certificate of occupancy. Based on the inquiries, the other local jurisdictions do not use the “any” alteration, revision of tenant improvement criteria as the requirement for sprinkler retrofitting and it is suggested that other policies be examined as a reference point.

Finding No. 41 – It is in the City’s best interest to actively assist property owners build out their uncompleted projects. As the inventory of unfinished projects increases, so will the problems that must eventually be dealt with by staff.

Recommendation – Create a formal response effort with creative actions dedicated to assisting the projects that have been “stalled out” because of the problems associated with land development economics.

Finding No. 42 – There is no established forum for the development industry to interact with the DRP’s senior management in a non-adversarial way.

Recommendation – Develop a method for ongoing communications and regular discussion group meetings between the City’s DRP staff and the development community that are dedicated to broad issues and problem solving. Quality and sustainable growth in a municipality require that there exists a professional, non-adversarial relationship between the city’s regulatory staff and the design/development community. For example, this

would be an appropriate forum for the prescriptive vs. performance building code debate.

Finding No. 43 –The “quality first” effort with respect to plans submissions within the DRP does not receive adequate attention, causing excessive multiple re-submissions (as many as eight).

Recommendation – Increase the City’s oversight of design requirements at the front end of the review process with more “what is and what is not acceptable” guidelines and support the effort with aggressive communications, an educational effort and rejection when the City’s published and documented standards are not met. Reducing the level of poor quality submissions that the staff must contend with will reduce DRP operational costs.

Finding No. 44 –The responsibility for DRP processing problems “ping-pongs” between departments.

Recommendation – Include in the recommended development review master manual specific instructions regarding work unit process responsibilities (see Recommendation # 5) and hold managers accountable for a seamless process.

Finding No. 45 – There is a need for up-to-date departmental and cross-departmental DPR flow charts using the same template. The difficulty associated with obtaining this information impeded the early progress of *Development Review Process Efficiency Analysis*, underscoring the fact that accurate flow charting has not been a priority in some of the work units.

Recommendation – Require each DRP work unit to update and then publish changes that are made to their processing flow charts.

Finding No. 46 –The Building and Safety Department’s appeal process is unusual in that it is comprised of departmental staff only. This means that the appellant is arguing his/her issue before staff from the same work unit that has denied the design proposal or construction technique, a situation that does not always promote objectivity. Another consequence is that the appeals board staff is less likely to have the professional qualifications deemed necessary to understand innovative design-and-build alternative methods of compliance.

Recommendation – Comply with Section 112 of the International Building Code which calls for the appointment of individuals who are “qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.” While this change will bring with it new costs, the overall impact of having qualified non-staff

professionals setting on the appeals board will be a more objective process that will have a positive affect on the City's land-development related economy. Consideration should be given to using separate appeal boards for fire and building disputes. Caution must be exercised so that a change in the appeals board makeup does not politicize the code interpretation process or derail the City's commitment to good public policy. Careful study should be given to the models used by surrounding jurisdictions.

Finding No. 47 – It is the position of the development community that the Building and Safety Department's code interpretation practices are more stringent than their counterparts in the Las Vegas Valley.

Recommendation – Work with representatives of AIA Las Vegas in an effort to determine if the City's code interpretations are more stringent than the adjacent jurisdictions, and if so, is it necessary. If the City is exceeding the intent of the International Building Code it may not be in a position to effectively compete for future land development opportunities.

6.3 Organizational Structure, Supervision and Management

Finding No. 48 – The departments involved in the DRP have pronounced "silo mentalities" that often work against efficient operation of the DRP.

Recommendation – Eliminate the existing silo effect that diminishes the work potential of the DRP by changing its organizational structure. A section in Chapter 4 The Core Issues discusses the silo effect and how it affects and the DRP. Chapter 5 Action Plan offers some restructuring options for mitigation. Overcoming the silo effect that separates the City's development related departments should be given top priority.

Finding No. 49 – No single manager is assigned the responsibility for overseeing the DRP and its personnel. This chain of command flaw contributes to the perpetuation of the damaging silo effect that hampers the DRP.

Recommendation – Appoint a qualified professional with the appropriate skills to manage all of the DRP activities, personnel and operating budget. The various options for doing this are discussed in Chapter 5 Action Plan.

Finding No. 50 – Finding the time necessary for the DCM-D to successfully oversee the implementation of the report's recommendation is critical to improving the DRP.

Recommendation – The implementation of this report's recommendations should be DCM-D's top job priority for the next 180 days. The importance of having sufficient time for the DCM-D to work on upgrading the DRP to the level desired by the City Manager cannot be overstated.

Finding No. 51 –There is a need to carefully examine the spans of control in the DRP departments.

Recommendation – All of the spans of control integral to the DRP should be examined by departmental management and the Human Resources Department to determine where there are excess layers of management or an insufficient number of managers to effectively supervise their subordinate chain of command. In certain work units the spans of control are extremely narrow. For example, according to the department's organization charts the Planning and Development Department's chain of command has a deputy director position supervising only two positions. Another example of a span of control that seems too tight exists in the Public Works Department where the Land Development Superintendent supervises two operational project managers. Conversely, in the Building and Safety Department there is neither a deputy director nor mid-manager positions between the director and the line supervisors.

The rule of thumb for spans of control is roughly one supervisor for five subordinates. In an organization such as the DRP which is comprised of experienced and well educated/trained "knowledge workers," where tasks and roles are clear, and the environment stable, a wide span of control (1: 5-7) is the norm. If the spans of control in this type of organization are too tight it leads to more layers in the organization requiring more managers, makes vertical communications more complicated, discourages initiative, encourages centralization and pushes the focus on customer service down the chain of command. If the spans of control are too wide, as is the case with the Building and Safety Department, then there is usually too much demand on the manager for coordinating, a lack of proper control that encourages laissez-faire behavior, autonomy and often an increase in costly mistakes.

Finding No. 52 – Insufficient (almost none) time is given to solving problems associated with the DRP during regularly scheduled senior management meetings.

Recommendation - The DCM-D and development related department directors should meet on a monthly basis for the exclusive purpose of

assessing the operational efficiency of the DRP. This recommendation is discussed in greater detail in Chapter 5 Action Plan

Finding No. 53 – Most of the managers responsible for work units in the DRP have learned to manage more by “experience” than through a formal education or professional training process such as graduate level courses in business systems, human capital management, leadership development, etc. Studies and experience tell us that managing without the appropriate training is likely to have negative consequences.

Recommendation – Develop training opportunities designed to better equip the technical professionals holding management positions to more effectively manage and be kept abreast of business management advancements.

Finding No. 54 – The turnover of the Planning and Development Department’s staff appears to be higher than the norm for professional positions throughout the City of Las Vegas organization.

Recommendation – Make an objective determination of the casual factors that result in the relatively high turnover in the Planning and Development Department, and develop a plan of action to reduce unnecessary position bouncing. Management also needs to exercise caution against making assumptions that the primary reasons its human capital leave are compensation or a better work schedule (the Henderson factor). Experience tells us that management style (over-control or laissez-faire for example), ambiguous tasks, a turbulent environment, complicated vertical decision-making, lack of flexibility and career development opportunities and poor leadership are among the reasons employees will leave, especially in a risky job market. According to the American Management Association, training for immediate job needs or career growth places first among retention programs that are most successful. Similarly, a study released by Gallup found that seventy-nine percent (79%) of the workforce says employer sponsored training is the number one factor in employment satisfaction in the work place. The costs associated with the loss of human capital must be calculated in terms of separation costs (exit interviews, termination process functions, separation/severance), replacement costs (recruitment, testing, interviewing, travel, pre-employment administrative expenses and medical exams), training (formal and informal), and performance differential.

Finding No. 55 – To provide quality assurance a business license application is reviewed by three staff to make sure the information matches from the hard copy to what has been input into the business license system.

Recommendation – Evaluate the need and cost effectiveness of having three staff members perform the license review activity, especially as it pertains to the category of “general” business licenses.

Finding No. 56 – The loss of senior staff leaving the workforce has resulted in a loss of institutional memory.

Recommendation – Take the steps necessary to convert the organization’s institutional memory to documentation that can be easily retrieved. This can be accomplished through the development of policy manuals and Standard Operating Procedures (SOPs).

Finding No. 57 – Until recently, the Building and Safety Department inspections supervisors were not conducting desk or field audits of the work performed by their inspectors.

Recommendation – Continue to conduct the recently initiated inspections auditing program used by the Building and Safety Department, and implement a similar program in those development review departments lacking this auditing practice.

Finding No. 58 – There is a significant interest by some staff members to shift the DRP schedule from its current work day schedule to the 4-10 (four-day, ten-hour) work schedule.

Recommendation – Do not convert the DRP staff to a 4-10 work week. The isolated loss of talent, particularly when the employment market favors the City, does not justify ramping down a service delivery organization whose customers traditionally work a five day work week.

Finding No. 59 – The physical separation of inspectors and plan review personnel in the Building and Safety Department results in communication problems that sometimes create an additional cost for the customer.

Recommendation – Use meetings, training and technology to bridge the communications gap.

Finding No. 60 – Managers and supervisors tend to focus more on the politics of the process than the “time and money” aspect of the DRP. Many managers do not know the incremental unit costs associated with their department’s DRP activities. It is not part of their “language of management.”

Recommendation – Re-design the jobs of supervisors and managers so that they know and understand the “business metrics” of their work

responsibilities. In addition to knowing the codes they use and the politics of the process, the staff at this level should be held accountable for efficiency – the time and money aspects of the DRP. The primary project/application/permit management toll should be time in the form of common deadlines. They should be driven by a meaningful set of metrics that holds them responsible for understanding where the time and money “hogs” are in the various phases of the DRP for which they are responsible. The foundation for this shift is usually the information developed from a qualified fee study (similar to the one commissioned by the Building and Safety Department) which breaks down the processing steps and assigns costs to each component. These numbers give the supervisors, managers, directors and CMO a common platform for inquiry, study, debate and resource allocation.

Finding No. 61 – “Top down” management calls are often required to move projects forward. With no senior staff member responsible for the weaving of a project through the individual development review work units, a frequent outcome is this fire drill type response. The individual departments focus on their own individual reviews and do not concern themselves with the overall status of the project. This lack of oversight and project facilitation makes it difficult for junior staff members of the individual development departments to set priorities and understand the importance of specific projects. It is also a costly use of the City’s top level management.

Recommendation – Establish a monthly project status meeting for all of the development review departments. Require each department to select an individual who is responsible for tracking the status of projects from the point-of-entry-to-pass-off as it proceeds through their systems. Each development review related department would be required to be represented at these meetings, and the outcomes reported to the DCM-D.

Finding No. 62 – The May 2009 Employee Engagement Survey conducted by the Department of Human Resources contains a number of “red flags” deserving of attention from the CMO.

Recommendation –The DCM-D should thoroughly review the survey findings, consider them in context with this report’s findings, and take appropriate action if necessary. There are 13 categories in the survey that relate to how employees perceive the management and supervisory skills in their respective departments. When compared to the overall City average, some of the DRP departments ranked very low. Only 2 of the 13 categories were ranked as acceptable or better against the average by Planning and Development Department employees. This compares to 5 by Public Works Department employees, 9 by Building and Safety Department employees and 10 by Fire and Rescue Department

employees. Special attention should be given to the written summaries made by Human Resources. Words and statements such as “discrimination,” “harassment,” “race plays an important role in discipline” and, “when it comes to decisions management makes, it is always correct and no matter how badly it failed there is always a positive spin put on it” should be treated as indicators of concern by upper management which should be considered from a “bottom up” perspective. There should be zero tolerance for disrespect in the DRP departments.

Finding No. 63 – Staffing reductions among the development review related departments are not always consistent with the corresponding decline in land development activities.

Recommendation – Review for elimination those positions that were previously dedicated to the DRP but are now assigned to other tasks. Given the realities of the City’s revenue situation, forecasts pertaining to future land development, and the implementation of many of this report’s recommendations, a further reduction in active DRP staff and former DRP positions that have been reassigned elsewhere, is easily attainable.

Finding No. 64 – The Planning and Development Department’s front counter planners are not fully utilized when they have “dead time.”

Recommendation – Re-examine the current rules governing what the front counter planners can and cannot do when they are not dealing with a customer. The suggested priorities are: (1) other departmental tasks; (2) assignment training; and, (3) professional development. Regarding this, the rules that currently cover the use of the internet as a research and professional development tool need re-thinking and consideration.

Finding No. 65 – A significant number of mid-managers are “change averse” and are resisting using business metrics, time and actual cost as the primary measures of their performance, and the performance of their subordinate staff.

Recommendation – Reassign or relieve those managers and supervisors who do not embrace the Performance Plus system and are not aggressive in their efforts to train-up their subordinates to use the system. The Performance Plus system is the only identifiable management system that crosses the DRP departments and is necessary to place the DRP on a common platform that uses meaningful performance metrics.

Finding No. 66 – The need for additional staff cross-training is of universal concern in the DRP.

Recommendation: Develop a cross training program based on the DRP tasks that can be done interchangeably by staff.

Finding No. 67 – The training for front counter planners is inadequate. The limited “shadowing” and “learn on your own and ask others” approach can result in providing the customer with costly misinformation and/or an unnecessary distraction to fellow workers.

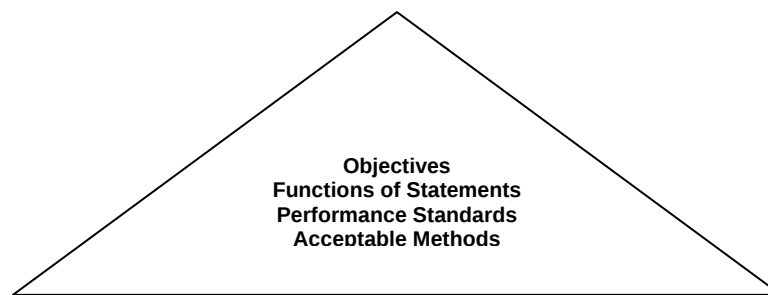
Recommendation – Develop a more comprehensive training program for front counter planners that includes some testing of competency before they go solo.

Finding No. 68 – A significant number of employees expressed the need for additional customer service training.

Recommendation – Require all DRP staff to attend the City’s customer service program and develop an internal training curriculum that provides the DRP staff a better understanding of their customer’s needs and concerns.

Finding No. 69 – There is substantial resistance to the use of “performance-based” codes and regulations. Performance-based regulatory systems specify outcomes rather than specific solutions. They are typically formatted as a hierarchical structure in which the top level contains objectives expressed in qualitative statements. These objectives break down into functional statements (also qualitative) of sub-objectives that must be achieved to attain the objective. Following this are performance requirements that provide quantitative data of when the functions, and thus the objectives, are satisfied. Finally come acceptable methods that can include verification methods recognized as appropriate for verifying the required performance or “deemed to comply” solutions that generally include the former, prescriptive solutions. Exhibit 6.1 illustrates how the performance-based decision making process functions in the application of building codes.

Exhibit 6.1
Hierarchical Structure of the Performance-Based Regulatory Systems



Where standards are unavailable or inappropriate, such as for the acceptance of innovative materials or methods, there are existing systems for technical approvals issued by the evaluation services that are affiliated with the model codes.

Recommendation – Develop the staff capacity to evaluate building plans on the basis of a performance-based regulatory system. The process for doing this is outlined in the *SFPE Engineering Guide to Performance-Based Fire Protection Analysis and Design of Buildings*. With building regulatory systems across the country undergoing the fundamental shift to performance-based, so will builders. In order for the City of Las Vegas to compete effectively for future development it will need to embrace the performance-based process where appropriate. A prerequisite to this is having sufficiently trained mid-managers who understand this concept. The new position recommended in Recommendation No. 70 should be comfortable with using performance-based and sufficiently skilled and experienced with their application.

Finding No. 70 – The Building and Safety Department lacks the senior management positions necessary to operate effectively and prepare itself for competition with respect to future land development.

Recommendation – Create a senior code enforcement position responsible for code research, selection and administration, and transition from the use of the traditional “prescriptive” code enforcement concept to selected use of the now approved “performance” concept. Specifically, there is an immediate need for a very senior level building and safety code administrator whose credentials include supervisory experience in other large urban entities, the appropriate professional credentials, and the ability to help the department stay ahead of the emerging trends and changes in the building industry. Eliminating the deputy director position in the Planning and Development Department is the recommended way of exchanging a no longer needed position for one that will strengthen the DRP.

Finding No. 71 – There is no formal process for changing management processes in the DRP. When significant changes are made to the DRP there are no formal and well-established mechanisms, no accountability assurances, that such will happen the way it is supposed to happen. To a certain extent this is caused because there is no standardized system of information in the DRP. How such changes are made is largely dependent on the interest and involvement of the work unit manager. Frequently management skips the needed steps in the multi-step process and doesn’t build and develop adequately.

Recommendation – Operational and policy changes in the DRP need to be effectively communicated to all employees, adopted in writing, communicated through a standardized information system, and insisted upon by top management. Management change occurs when an organization begins to do something differently and needs to be “managed” as part of problem-solving processes (planning, budgeting, organizing, staffing and controlling).

6.4 Technology, Business Systems and Performance Measures

Finding No. 72 – There is a critical need for an electronic application/plans submittal, review, tracking, and storage system. The current plan review process is an inefficient manual process that does not support concurrent reviews nor does it provide customers with 24/7 access.

Recommendation – Acquire an electronic plans system that meets the well-thought out processing criteria developed by the Planning and Development Department. Second only to spanning the departmental silos this is the single most important efficiency enhancement that can be made to the DRP. This web-based system will integrate the DRP and provide its external users functionality without additional costs. The estimated return on investment for the City and time savings for the customer is a valid justification for increasing DRP fees.

Finding No. 73 – A more customer friendly website with a better search capacity is needed for the development community.

Recommendation – Build a more interactive process with fewer steps. The goals should be to reduce the number of trips customers have to physically make to City facilities to obtain DRP information, getting on-line permits and paying for all aspects of the building process including overtime inspections, express inspections, plan reviews, re-reviews, etc. Links to building codes, FAQs, and a “contact us” section would increase productivity and efficiency. Improving the City’s website “search” capability was brought to the consultant’s attention by numerous focus group attendees. High priority DRP metrics used to measure processing time regarding applications, submittals, and projects should be on a web-based “dashboard” and used as a daily management tool.

Finding No. 74 – With the exception of the Building and Safety Department, fee studies by a qualified consultant have not been conducted in recent years in the other development review departments.

Recommendation – Conduct DRP related fee studies in the Planning and Development Department, Public Works Department, Fire Engineering and Business Licensing. Absent this information it is difficult for management to understand where their unit's costs exist in the system, workflow relationships and how to measure the distribution of staff effort, or positions to tasks and service areas.

Finding No. 75 – There are noticeable telephone response time delays in the Business Licensing office. These appear to be caused by a combination of a high volume of incoming calls, multi-tasking by staff and an inadequate phone system.

Recommendation – Study the cost-effectiveness of an improved automated phone system that is integrated with website information.

Finding No. 76 – Findings in the Wohlford Consulting User Fee Report for the Building and Safety Department indicate that the current fee structure used by the department is not sufficient to cover the department's cost of providing services.

Recommendation – Reduce the department's operational costs where and if possible and adjust the fee structure accordingly. Communicating the need and the efficiency steps that this department has taken with the development community is critical to this effort.

Finding No. 77 – While the annual volume of land use and permit applications is the primary driver for the DRP, workload and output is not always measured effectively.

Recommendation – Review the existing DRP Performance Plus metrics for meaningfulness and add or modify where necessary. Some of the departmental metrics used in the Performance Plus program to measure DRP activities are not meaningful. There is a need to shift DRP performance measures from workload to output metrics so that actual accomplishment rather than volume or quantity becomes the measurement of staff performance. There is evidence that some employees are confused with regard to their roles in the Performance Plus effort and how it is being used by management. This can be corrected by using a common DRP mission platform with and performance measures that apply to the workload and productivity of the DRP as a single entity.

Finding No. 78 – With the exception of the relatively new Performance Plus management tool, no recognized business system such as Sigma Six, Total Quality Management or Business Processing Engineering is used by any of the development review departments.

Recommendation – Commit to either the Performance Plus system or some other proven system and use it as the basis for managing the DRP. This is a necessary management tool that needs to become part of the DRP organizational culture with respect to the ways things are done.

Finding No. 79 – The Business Licensing Division's resistance to using the Hansen software system has been costly in terms of DRP staff time and customer service. For example, it is estimated that when the Building and Safety Department needs certain information it can take up to four hours of staff time to get the information.

Recommendation – Immediately transition the Business and Licensing Division to the Hansen System and require all of the departments involved in the DRP to commit to the new electronic plans submittal proposal sponsored by the Planning and Development Department. This is a “lesson learned” recommendation that is applicable to the acquisition of any new technology or software for the DRP process – individual departments should not be allowed to unilaterally decide if and when they will be committed system users.

Finding No. 80 – The DRP is hindered by certain communications “inabilities” between software applications (Hansen, Sire, EB, GIS, Plans Viewer and Oracle).

Recommendation – Where possible correct the existing software communications and attempt to overcome the remaining problems with the proposed electronic plans submittal technology.

6.5 Organizational Culture and Customer Service

Finding No. 81 –The almost universal belief by mid-managers that “when things return to normal we will need more staff” is a drag against the need to change the way things are done internally. For example, the Fire and Rescue Department attributed most of the friction points (delays and bottlenecks) in the DRP being caused by a “reduced staff.” This mind-set defeats the critical need for the development related departments to minimize future personnel costs by considering new ways of doing things without additional staff.

Recommendation – Focus a substantial amount of management attention toward the elimination of the “more staff” knee-jerk reaction that has been institutionalized. This effort will require a combination of approaches such as coaching, position replacements, the use of more rigid performance metrics to hold managers accountable, additional

management training and the infusion of a “do more with less staff” organizational culture.

Finding No. 82 – Too many DRP managers continue to believe that their future staffing levels need to be established on the basis of the previous, but unmeasured, workload indicators.

Recommendation – Aggressively use the Performance Plus system to establish future staffing needs.

Finding No. 83 –The Development Services Center reception area is unfriendly, confusing for the first-time customer and is inefficient for both the customer and staff.

Recommendation – The intake area needs to be reconfigured with better signage for the customer and the reception staff need to be well-trained in customer service, and committed to a friendly and professional customer relations style and demeanor.

Finding No. 84 – There is compelling anecdotal input from the development community that some of the Fire Engineering staff lack professionalism with respect to customer service.

Recommendation – The Fire and Rescue Department’s senior management responsible for the DRP should thoroughly review this concern and take the appropriate action. The frequency of this complaint, whether fact or fiction, and the extent to which it is affirmed by other DRP staff warrants attention and a strong mitigation effort. These complaints are almost identical to the ones received by the consultants, and passed on to management during a similar study a few years ago. Inappropriate customer service behavior by even one person, when allowed to reach the “commonplace level,” is costly to both the customer and the reputation of Fire and Rescue Department. If management’s review substantiates this complaint then appropriate corrective action needs to take place. A recommended resource for improving customer service is the book, *Essentials of Fire Department Customer Services*.

Finding No. 85 – The sometimes “we-they” friction between the plan check staffs in Fire Engineering and the Building and Safety Department impedes the work effort and customer service. This is an outcome of two competing organizational cultures that view their missions and responsibilities differently. It is costly to both departments and the customers they serve.

Recommendation – This limiting aspect of the DRP needs the management attention sufficient to merge the two work units into a compatible and cooperative element of the land development process. Job sharing, coaching, training and peer reviews are among the techniques that can be used to correct these problems.

Finding No. 86 – The initial staff response to the unfiltered input received from the development community focus groups was more defensive than introspective or thought-provoking. Excerpts of the focus group's input are included in Chapter 3 What The Customer Wants, and the complete minutes are located in Appendix D Staff Responses to Focus Group Input.

Recommendation – An objective non-defensive evaluation of the focus groups' input should take place before the implementation process begins. While some of the comments were driven by agendas and personal opinion, the environment in which this "customer survey" information was delivered warrants more than a passing consideration. Most of the points presented during the focus group meetings were repeated, appeared to be based on fact or example, and accompanied by corrective suggestions or recommendations. The immediate "push-back" without contemplation and study from the staff would be a cause for concern in any customer service organization that is paid to provide customer service.

Finding No. 87 – Within the DRP staff there appears to be confusion with respect to who the customer actually is. When asked the question "Who is your customer?" the responses ranged, regardless of rank, from "the public," to "the applicant" and, "the City Council."

Recommendation – Define exactly who the DRP's customer is and treat it as a constant focus of attention. Defining the customer is a prerequisite to efficient customer service.

Finding No. 88 – An insufficient number of DRP staff have attended the Human Resources Department's formal customer service certification program and some of the personalities (because of a lack of communication skills, negative attitude, bureaucratic beliefs, etc.) of some of the staff occupying key positions in the DRP are not conducive to effectively solving customer relation issues and/or working in a professional manner with other employees in the DRP.

Recommendation – Require all of the DRP staff to attend the customer service program as soon as possible and identify and assist those in key positions who need remedial training and career coaching.

Finding No. 89 – Locating fire inspection personnel in fire stations may widen the mission-understanding gap and organizational culture differences between the Fire and Rescue Department and the other elements of the DRP.

Recommendation – Consider the pro's and con's for continuing to office fire inspectors in fire stations against the overall mission of fire inspectors in the land development process.

Finding No. 90 – Telephone customers frequently complain about being switched from person to person because staff often does not know to whom the call should be referred to.

Recommendation – Develop a training/education process designed to minimize the necessity of having to switch calls. A comprehensive approach to this might include an advanced automatic phone system, better web site design, a unified development manual, better training for new hires, etc.

Finding No. 91 – The effectiveness of the Office of Business Development (OBD) staff with respect to assisting a property owner move through the DRP has been marginalized because of the customer-resistance view held by other DRP staff.

Recommendation – Assign the OBD “walk through” staff to the Implementation Committee discussed in Chapter 6 Plan of Action and use their “friction point” knowledge and experiences to improve the overall efficiency of the DRP.

Finding No. 92 – The different and sometimes conflicting organizational cultures surrounding the DRP impede quality service.

Recommendation – Use a combination of leadership, quality management, education and resources from the Human Resources Department to develop and continually reinforce a distinct culture for the DRP staff.

Finding No. 93 – DRP Permits often expire without either the City or customer realizing it.

Recommendation – Track all issued permits and provide the customer with a reasonable notice before the permit lapses.

Finding No. 94 – There are limited up-to-date operating (desk) manuals for DRP plans check personnel to use as a reference and guide for their activities.

Recommendation – Each work element in the DRP should provide its staff with an updated operating manual that “fits” with the DRP comprehensive desk manual that was discussed in Finding No. 5. The responsibility for this should be assigned to the directors of the development review departments and reviewed by the DCM-D.

Finding No. 95 – The development community believes that planners should be well-qualified professionals who are encouraged to have meaningful input with applicants. The current view of the design community is that the planners in the Planning and Development Department are “process bunnies” whose purpose is to check the right boxes on the processing forms.

Recommendation – Management needs to consider whether the role of the planner needs to be redefined and/or changed. Underestimating this image problem will continue to reinforce the view that the department’s planners are not there to facilitate real planning but are there to push paper.

6.6 Summary and Conclusions

Based on input from the DPR staff at all levels it is apparent that the review and inspectional process is at times delivered beyond quality to an overly restrictive product; at a pace which is sometimes leisurely; and, all too often at a cost to the customer that was not necessary.

During the building boom days the design community made money at the expense of its clients because of the DRP’s inefficiencies. The extra costs of getting a project approved and under way were viewed by the developer as “a cost of doing business.” It was a “do whatever it takes to start moving earth” environment. In fact, a cottage industry of runners and applications/plans chasers was created just to move plans and applications through the DRP. Now, with the radical shift in the economy, the development communities in Southern Nevada and across the country are not going to accept inefficiency in the municipal review and inspection process so readily because they simply can’t afford it. Builders in urban growth areas such as the Las Vegas Valley will use efficiency and predictability of the land development review and inspection

process as a major component of their decision-making process with respect to where they will build. In a very real sense the customer service attitude and efficiencies with which a municipal jurisdiction applies to its land development management will determine its economic growth more than ever. The jurisdictions of the City of Las Vegas, Clark County, Henderson and North Las Vegas will be in direct competition with each other for land development.

So long as the DRP staff remains committed to excellence that is measured by metrics rather than self-appraisal, then the goals of efficient review and quality code compliance are attainable. Good, solid and objective debate with respect to the findings in this report by the implementation committee, followed by workable solutions will address most of the concerns expressed by the DRP staff and the development community. And those actions will elevate the efficiency of the DRP to the level expected by the City Manager and the City's elected officials.

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Appendix A

Questions and Lines of Inquiry

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Questions and Lines of Inquiry

Among the questions the consultants asked the development review related departments in order to understand and overcome the procedural and administrative barriers to efficient land development were:

1. Where do system log jams occur and are they procedural, territorial or overload related? Please rank the order of logjam “causes” (most frequent cause ranked #. 1):

 ___Lack of staffing

 ___Lack of skills and knowledge

 ___Ineffective managerial Systems

 ___Lack of technology
2. Is there a presumption that approval will be granted if development standards are met or does each customer have to “prove up” his/her case?
3. Is an effective one-stop permitting system in place so that the process is not affected by the absence of staff availability or workload of an individual staff member? Has the staff been adequately cross-trained?
4. Are key terms clearly defined and is simple, direct language used on the department’s forms and handouts?
5. Are approval process checklists and flow charts easy to understand?
6. Are the submittal requirements clearly stated in the appropriate level of detail?
7. Are time frames/limits for reviews and approvals to ensure timely decisions sufficiently spelled out?
8. Are pre-application conferences timely and well-managed?
9. Are there interdepartmental review committees with a designated coordinator/ombudsman? Does this position have sufficient authority to override interdepartmental differences?
10. Are computerized tracking systems used that have the ability to tell an applicant the status of their application, and to more readily identify coordination problems between agencies?

11. Are concurrent, not added or sequential, reviews used whenever possible?
12. Are applications ranked or placed in a hierarchy or importance?
13. Can more decisions to be handled administratively, i.e. with less review by oversight groups?
14. Can multiple public hearings be consolidated?
15. Can appropriately qualified development community architects/engineers sign-off for ordinance/code compliance?
16. Are the time frames for inspection of constructed improvements and release of performance bonds or guarantees specific and adhered to? Are they followed up?
17. Are combined site inspections to final out a project used?
18. Is there a more efficient way to manage the inspection program?
19. Are ordinances/codes evaluated on a regular basis? Are old, not-needed ordinances/codes culled out periodically?
20. What paperwork can be eliminated or replaced with technology?
21. Are policies and procedures clear?
22. Is there adequate space for filing and storage?
23. Is the concept of being "on time" and meeting deadlines fully embraced by all staff?
24. Is the partnership with other development related department's inspectional staff clearly defined?
25. Do supervisors receive adequate supervisory and human resources training?
26. Are effective work product accountability standards in place?
27. When management requires change, is there a formal process for assuring that change will be made?

Appendix B

Some DRP Best Practices Cities

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Best Practices Cities

Tallahassee, Florida

Multi-Departmental Electronic Development Review Initiative

To design the Multi-Departmental Electronic Development Review Initiative, Tallahassee first created a subcommittee with staff members representing the following departments: Growth Management, Planning, Public Works, Utilities, ISS, and the Treasurer Clerk's Office. Over the course of one year, the committee members developed a plan for an Electronic Review Process that would enhance the efficiency of the development review process; increase the ease of document retrieval and access; reduce the cost of review for the private sector; and decrease the amount of paper and hard copy storage space needed. In the first two years, more than 868,500 pages of DRC-related documents have been scanned into the electronic system, and the initiative has helped the City successfully reach its goals. Phase II of the project, which calls for a complete elimination of paperwork through the submittal of electronic development applications, is the next step.

Details :

Doug Moore, Business Unit Systems and Applications Coordinator
City of Tallahassee
Growth Management Department
300 S. Adams Street, Box B-28
Tallahassee, FL 32301 -

Wichita, Kansas

Development Assistance Center

Wichita's Development Assistance Center provides excellent customer service and streamlined city processes for the real estate development community. The Center serves as the initial point of contact with the city for significant development projects, arranges preliminary development conferences, provides a central point of continued contact for developers, ensures that schedules are maintained, coordinates issues between departments, provides a problem-solving resource, and provides information about development projects to the city manager. In addition to services for developers, the Center coordinates public-private development partnerships, monitors the development review process, provides a focal point for continuous improvement of the development process, provides customer outreach and education, and establishes and maintains communications with the development community. The program significantly reduces review times in all of the city's development processes.

Details :

Terry Cassady, Development Assistance Director

City of Wichita
455 North Main Street
Wichita, KS 67202

San Diego, California

San Diego overhauled its 30-year-old zoning code to eliminate inconsistencies, reduce confusing or inequitable regulations, address unique community features, and overcome public skepticism of the development review process. The city wanted to streamline the development process to encourage development of more livable communities. The city council insisted that the review process be collaborative, involving the public, city staff, and developers. A voluntary citizens advisory committee reviewed the code with input from federal, state, and local government and environmental agency representatives. The city held 300 public forums on draft regulations, resulting in a sense of ownership and balanced compromises on difficult issues. The new code reduces regulatory language by 35 percent, decision processes from 23 to five, and permit types from 20 to seven. It encourages smart growth design principles with higher density residential development and variable setbacks in urban areas. This program won a 2001 Helen Putnam Award for Excellence in the category of Land Use and Environmental Quality from the League of California Cities.

Details:

Kelly Broughton, Deputy Director
City of San Diego ..
Development Services Department ~
202 C Street, 10th Floor
San Diego, CA 92101

Lee's Summit, Missouri

Lee's Summit created the Development Review Process Handbook to streamline the development process and minimize delays for design professionals and the development community. It is available in book form, as well as on the Web and CDROM. The handbook offers application forms, as well the checklists examiners use when they evaluate a plan. It also provides average timelines; the fee schedule; requirements for rezoning, preliminary and final site plans; a list of reference materials used; and contacts in the city administration.

Details:

Ron Cox, Development Coordinator
City of Lee's Summit
PO Box 1600
Lee's Summit, MO 64063
(816) 969-6828

Appendix C

Focus Group Comments

1. Downtown Development Focus Group Notes
2. Land Use/Entitlement Focus Group Notes
3. Fire Prevention/Sprinkler Systems Focus Group Notes
4. Building Permits Focus Group Notes
5. Drainage Studies, Traffic Studies, and Civil Plans Focus Group Notes

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1. Notes From the Downtown Development Focus Group Meeting

OBD –

- Seemed like a good handholding experience, but very quickly broke down; felt like we were getting entangled, getting told that what we thought were basic things couldn't be or wouldn't be done or would become very time consuming. Told try to review a full site review for a project this small. We came to realize that the process was not working for us and we began to work directly with each department, which seemed, despite the fact it was expensive and time consuming, to speed up the process. Also had problem with Visual Improvement Plans (VIP to improve the facades) process through OBD; it was painful, time consuming, sometimes contradictory – have to submit everything in advance, multiple bids, very complex, then need to wait for Council approval, which could take many months, if any issues get kicked back, start all over.
- Cannot do development or even start building until the entire process is approved, which can be up to 3 months. Our project took almost 2 years.
- \$ are reimbursement dollars, not up front, and it's 1:1 or 1:2 match dollars. Even though it's our dollars, if you don't wait for approval, we don't get the reimbursement.
- Tenant if they apply for VIP, the landlord has to sign as well to be sure there is a responsible party, even if the tenant funds it. Only reimbursed once it is verified that the specific plans are done specifically.
- Actually is a loan, if you pay it back, we are funding it ourselves from business taxes. It works against you that the more money and work you put into the space, the more your taxes increase. We don't actually get anything.
- When I think about Redev, the purpose is to encourage people to develop in those areas. You develop and RDA that has certain incentives to develop there rather than elsewhere, i.e., less parking, less zoning restrictions, less code strictures, etc. If you are working in the RDA, it should be perceived as the EASIEST place to do business. Our experience is that it's been pretty good, at the same time, the timing of it has not been any better than working outside the RDA, which I think is wrong in concept. It should be streamlined and facilitated for people to build.
- OBD is locked with the RDA in the downtown area. If the appropriate people feel the project is of sufficient quality and quantity they will assign you a rep to walk you through all departments, and you both learn new rules in each department. One of the philosophies that have happened in the past is the big items, i.e., building arenas, etc. Forgot the small businesses that have been here all along. We are the people building, not the fantasy arenas, etc. The folks that get the attention aren't the ones building.
- VIP program. New construction building where we relocated an existing business to RDA area, OBD we were told to lay low and they would try to streamline the

process and make it easier. VIP program, open 15 months, but we can't access any VIP funds for signage because the overlay for the Scenic Byway overlays the building and we are being held to Scenic Byway standards while the CCR is a lower level and we still don't have signage. We still can't put a sign up because if we don't do it to comply with Scenic Byway standards, we won't get VIP funds and we will have to take it down.

- RDA and OBD are one and the same. No other RDA board. Just planning commission. There used to be.
- There seems to be a conflict in perception as well. Mayor talks about nothing else but downtown redevelopment, but he holds up San Diego as a model of redevelopment, but their requirements are so stringent in downtown CLV for remodeling old building, we wouldn't have ever opened here. You don't have that in downtown San Diego. It's not a comparable model.
- In the end, we were able to go to the director (Bill Arent) and get assistance. He put together a band aid for us to help us. Why can't the VIP funds be retroactive? Meet the criteria, apply, and then get the check. There are alternative ways that aren't told up front to do that. No one in the arts district has gotten any dollars. They are getting grants, but no VIP dollars. Yes, there has been some. Bravo!
- The VIP is only one layer of incentives. It's one of a handful. All are equally as cumbersome, i.e., **THERE IS A ZERO PARKING REQUIREMENT** but none of the agencies want to do it!!!
- We think OBD staff experience as much frustration as we do. Literally OBD staff will talk certain business owners OUT of doing business with CLV, because there is so much slow down in project planning.

PRIORITY LIST:

1. Evolve, modify VIP program to expedite the project. Make VIP retroactive, apply at end of the project.
2. The more money you spend to improve the business, the higher the taxes you pay.
3. Overwhelming culture in CLV that they are doing US a favor and we need to jump through there hoops and we think the roles should be reversed.
4. CLV decision makers seem to have no vested interest in anything that goes on; they don't live here, they don't frequent the businesses, they don't support them.
5. CLV doesn't help with business marketing downtown.
6. Several meetings with several departments where there is attitude that development people who are small business owner is to give MORE to each department, like they are competing. It is just a small cost to the owner, so no big deal, not realizing how much we've spent already on the project. 30% of CLV staff have no ideas of the cost of doing business, or values.
7. Shifting sands in the rules and codes.
8. Centennial Plan standards. When you front to Centennial Plan standards, get ready to spend lots of money. It's enough to make a developer go elsewhere. Centennial rules apply on major street frontage that come from Planning Department. Master Plan for the valley. This is not on the right of way, it's in ADDITION to the right of way. Giving up 15 feet of property not in the right of way. It is **ABSOLUTELY**

PUNISHING!!! Needs to be an easing of the rules. Spirit of the rule is FANTASTIC, but they have to be in a more business-friendly manner. Landscaping is NOT desert friendly landscaping.

9. This is a symptom of something much bigger, namely a disconnect between City and reality redevelopment. If someone lives in Summerlin and they are in the Council, they want to see Summerlin downtown, which is unrealistic. Nothing makes any sense. The whole Centennial plan doesn't make sense for future development. Let the city develop organically, uniquely, with mom and pops that don't have massive amounts of money.
10. Disproportionate allocation of resources to pie in the sky resources, namely Union Park. It's Symphony Park now. World jewelry centers. Stuff 3-5-10 years away that is absorbing staff, council, etc. time and resources. In the arts and entertainment district, we are treated as step children. All of what we are doing draws people down here to live. All of those closing businesses, those getting blown off are the things that are very, very important for the creation of the community. Especially true for the arts and entertainment district. Council brandishes power based on their personal opinion.
11. I think the City has the responsibility to create a master plan and push the vision to have the city make a livable place. The idea of pedestrian spaces that commingle with vehicles, I agree 100%. I think downtown sucks. That's why the master plan is so important. I think purpose of redevelopment is: 1) add to the vision of the recreation of the urban environment in the future; 2) provide funding to allow this to happen, the costs should not be 100% on building owner, city should help fund the plan to do the plan, make it easier for developer to do. To throw out the idea of a better downtown because we don't want to spend the money is a wrong approach.
12. The master plan model should reflect that this is an older, downtown and should reflect that.
13. I would agree with that but you can't place the economic burden on the small business owner.
14. I'm not involved in this fight, but we have to realize CLV is only 104 years old and it's a baby, there is little history here. Here want something for nothing, but also understand there is onerous stuff put on you developers. If the city wants this, they need an RDA that deals only with inner core of the city, and they do approvals, not the city council. City makes us put in additional sidewalks? Whose liability is that? It is pedestrian access easement, not a right a way. City has 100% responsibility. They make the property owner manage the landscape.
15. Theme we've been talking about. We have entrepreneurs and risk takers who want to develop downtown, but it has to make business sense. City doesn't facilitate business downtown right now. It's not just in RDA, it's everything.
16. The city should think of EVERYTHING AS BUSINESS DEVELOPMENT. CITY SHOULD BE ALLOWED TO CONSIDER THE ECONOMIC RAMIFICATIONS OF ALL DEVELOPMENT. That's the killer for not just RDA dev, but all dev. We have a problem with CONDITION CREEP. We can no longer afford condition creep.
17. It's one thing if we have to sprinkler a building, but if we have to do the easement, add this, add that, it creates an overlay that only deep-pocket businesses can be

downtown, it prevents those mom and pops who want to be downtown from coming in and doing redevelopment.

18. I preferred downtown arts district for my business, but I'm in Clark County. Have two other friends who have been pushed into the county as well. We are being driven out. You want First Friday, downtown arts district, etc. but make it financially impossible for the artist to exist there. It's a COST ISSUE. County facilitates, city puts roadblock.
19. Example, each restaurant in a building has to have its own grease trap in the city, but in the county, it can be a group grease trap.
20. City staffers have no authority to vary from the regulatory environment. The only people who can do it is City Council. Need staff empowerment to be flexible.
21. We could narrow it down, and chose top 8 things that would create a positive domino effect in redevelopment.

DESIRED CHANGES

- 1) Grease traps should be able to be shared in restaurants, or where to place them
- 2) Two items in the code for rehabilitation of existing buildings, i.e. avoid comprehensive review if one story; also ability to add second story without the most time consuming and painstaking process. Do we have to have the full process for a small 2nd story addition or remodel without adding a year? Can only go up one level, then wouldn't have to go through all the process & expense
- 4) Centennial rule easement or subsidy (\$)
- 5) Program of reimbursement for the development for what becomes public improvements, most developers wouldn't have a problem doing it and it would really help the smaller guys
- 6) If City had a program to fund underground utilities in the RDA, get it out of the way now
- 7) Set a guideline everyone can get comfortable with on existing buildings. CLV doesn't have a lot of skills with existing buildings. Publish specific guidelines. Let existing buildings stay within code when built, if less than 20% improvements, let it stay at that level. There is no set policy for that.
- 8) Sprinklering trigger occurs if you make ANY change, even changing a door. The way we look at existing buildings have to change. RX use code from time when building is built to make the existing accommodations.
- 9) Culture of destruction and rebuilding in Las Vegas. It's part of the issue. A culture of saving and reusing is needed and more cost effective.
- 10) PARKING WAIVERS THAT ARE ACTUALLY WAIVERED. Enforcement, costs.
- 11) Waterline upgrades on resubmittal.

There is a desire to have differing requirement for existing codes. Undergrounding utilities is a political issue. The downtown had \$ that, but it was politically repurposed for the suburbs.

If we could change 6 or 8 things, we would feel that the city is partnering with us.

CODE REVIEW ON OLDER BUILDING IS THE SINGLE MOST IMPORTANT THING THAT NEEDS TO BE FIXED.

New performance criteria for new buildings have to be different than performance criteria on existing buildings.

It starts with everyone being on the same page. If we have a common goal to open businesses, everything else falls into place. If we want to have a business, why talk easements and trees. We need businesses open. We need parking. Parking is a massive problem downtown. You need to create demand. There is no customer base. No population density. What are we going to do to create a draw and create a demand? Open more businesses to make a destination and create a demand. Culture should be come to us, we will do everything we can to get your business open.

See if a small business owner to get a project done in 6 months or less.

Inspectors love to say NO. They all start with no. Back to the culture and attitude.

Q: How do we determine how much of RDA pie goes to small business and how much to grandiose projects?? What can be done to ensure small guys that create the energy, synergy, and destinations get a more fair representation of that pie.

A: How much \$ are we bringing to the plate versus someone who will do 3-5 blocks. They will look at the guy who will do 3-5 blocks. **THIS ATTITUDE HAS TO CHANGE.** You have to give as much outreach to the small as you do the big spender.

Who do we encourage and what do we encourage? Disagree small business is what we are trying to bring. It is residential, not business. Need to bring people first. Commercial development occurs where there are residents, not residents where there are commercial areas.

Initiative through Entitlement – Issues

- OTC approvals used to be easier, staff had authority to do this when small changes were within code, not anymore
- Entitlement process – planning staff has developed paranoia, that changes at the smallest level require a restart of the whole process. The other jurisdictions DON'T do that, they have a percentage threshold for approvals.
- Drainage studies, traffic studies, civil plans don't really exist, takes significant changes. DCDA – double check detector assembly (fire line only) is costly.
- Redlining drawings and updating drawings and resubmitting every single time, make 2-4 week waits.
- Interior lighting requirements in building is a significant issue. Meeting energy requirements is insane. Health district impacts.

- Plan check documents lost within the City. Civil and other. Developers have to make copies, get three new stamps, resign them, give sets to architect to pull out specific sheets, to get final approval.
- City staff professionalism – some are certainly not doing their jobs. 25% of people we came in contact with are not qualified to perform their jobs. I'd say 25% is a low number. People I've dealt with seems to be qualified, but they have advised us to keep down and they would shepherd us through the process to avoid those who love to say No. Lot of attitude like they are doing me a favor and on top of that, attitude that every business owner and developer is wealthy and no limit on how much they can spend or how long they can be delayed. Completely removed from reality of being a developer. Each department asks for a \$15K change, adds up. Part of it is a personality issue too. Employees that get along with certain developers speed those plans, and holding grudges slows plans down. More unqualified people than there should be, but overall there is a minimum level qualification at B&S and P&S, but there is an overwhelming culture of no.
- Has there been an idea to have an ombudsman? Bonnie – there are two, but they have the same problems. Are they empowered? Bonnie – No.
- Some people have way too much power, namely Fire. The departments are in conflict. We feel OBD gets cold shoulder from OBD and P&D? That's part of the culture. It's my job to slow the process down, is the developers' perception of CLV staff.
- Express plans check is unnecessary; it should be SOP, not special process.
- Overstepping of authority with plans check. Unpublished rules, rules out of blue, personal preferences VS published standards. Comments not supported by ordinances.
- Inspection processes; inspectors have hands way too tied. Cannot be flexible when minor changes that don't affect public safety or impact structural or items that don't require engineer – engineers used to sign off and catch it on the as-built. Now, plan revisions are required first. Inspectors don't okay code issues.
- 20 years behind the hillbillies in the Ozarks. <yikes>
- Inspectors don't show up (Fire) when scheduled. Developer employees had to wait two weeks with employees having to be paid. Cost 6-7 business day delay for a final inspection.
- Final inspection, Cof O coordination. All other inspectors were there, but not Fire.
- Problem when inspector disagrees with Plans check. Inspector rejects because of interpretation of code different from plans check interpretation of code.
- Why does anyone have to review my certified, trained and educated plans, especially when the plans checkers, etc. are not as qualified. Reviews should be limited to compliance with code and public safety. Architects and engineers are only human. Not all architects are good architects, we are human. A level of oversight is needed. But if we had a more streamlined process in a reasonable period of time with reasonable cost by qualified people. City tried to move towards no plans check on structural and reversed in less than 3 months because of problems that occurred.

- Consistency among plan checkers is nonexistent. Inconsistency among inspectors is also prevalent. CONSISTENCY.

2. Notes From the Land Use/Entitlement Focus Group Meeting

- CLV Fire Department are employees of the city. Submitted two separate permits for identical purposes, one to city and to fire department, way to combine the two, reduce the duplicate fee, get rid of doing twice the work would be a benefit. Alarm Co to monitor a fire system, we have to submit a permit form to CLV, then submit the exact same form to Fire Department, with two separate fees. It's twice the work. Physically now, electronically copying and sending or physically copying and sending is a waste of time.
- Usually don't have trouble getting them to come out. The real problem is getting everyone to coordinate to be there at the same time. The customer is supposed to coordinate between sprinkler company and monitoring company. If the sprinkler company calls on the final inspect and doesn't let the monitoring company know and we call to pull our F card (monitoring only) then the sprinkler company wants to charge the subscriber to come back, which is an issue on the monitoring side.
- We saw several years ago, fire code changes were made, no public comment period, Fire Protection Engineers are involved in code issues, but we weren't able to participate, which was frustrating with no comment period, which is the new requirement. Bill – changing the code, is there input from the industry? It's done in-house and spread to the attorney's office, no input from outside entities.
- Fire Protection Engineer – the requirements of CLV versus requirements of Clark County and Henderson are often times different and even though CLV participates in the So. Nv. code process, there are difference. It would be nice to have the same code version where Clark County and CLV is the same code version and the same modifications, amendments, and same guidelines being used between CC and CLV. Bonnie – then all you'd have to deal with is different inspector interpretations
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Group Discussion:

Timeliness

How is the city about getting things back to you in a quick and timely manner?

They are pretty responsible now, but if they have any more cutbacks, it could really affect us.

Plans Check:

Predictable, able to build project schedules. Two years ago now, was 6-8 weeks from review, now we are at two weeks.

Is the process the thing that allows the reasonable review time, or is it the economy that allows it? More people to do it, less volume. I'm worried about what's going to happen when things kick up.

What is a reasonable time?

Predictability VS Timeliness – You can't expect a 1-2 week turnaround on a really large project, but it seems like at least in the last two years, that everything has been 3 months, no matter how big it is. It seems like first in, first out, just have to sit and wait, whereas maybe there needs to be some mechanism so that smaller projects can travel through the process quicker.

In sprinkler – fire review side there is an over-the-counter process that works really well that no one else has. It would be best to separate by size. City of Henderson has a scheduling system. Build systems to accommodate project size. Most of us don't expect a 40 story high rise to go through plan review in 2 weeks, but we do expect small projects to do so. We'd like to know when the expected time would be?

How do you separate big and small projects? Contract value is one, # sheets in the submittal, whether it is a TI, shell, or both, square footage, # of devices, # floors, high rise from low rise – breakpoint would be 4-5 stories 55ft. (there is a code definition from high rise we could use). Have to change the division somewhere lower, high rise more than 2 weeks, low rise less than 2 weeks. Some projects are very small, TI have like 38 sprinklers, some have just 2 devices. CLV has more devices or heads. In CC, need a plan for everything. Need breakpoints for smaller jobs in low rises. Something to work out. Where is the median, then draw the lines.

One thing CLV does now, can make an appointment for plan, take an over the counter appointment, take 30-60 minutes for small plans. If it takes longer than 30 minutes, have to submit, takes 2-3 weeks now. Over the counter is same day or one or two days at the latest. Big plus to have that option, over the counter plan review.

Often projects come in quick, want quick overtime. Would be nice to have option to pay extra for OT to get the review done quickly. Expedited lines can slow down – like Clark County.

How do you fix the Expedited process? Add resources, charge more to get the additional resources. If everyone does it, can be same 2 week turnaround. Small jobs, maybe not require plan review, or have a 3rd party plan review where 5 people who can do plan

review and stamp the drawings outside CLV, only thing city would have to do is final inspection.

Does CLV use 3rd party plans check now? NO

Problem with 3rd party would be consistency. Which could become a problem, like in other jurisdictions.

One problem was that cuts were equal across the board, but didn't take into account the complexity and types of work that were getting done, Fire Department took same type of cuts, but larger, more complex workload.

County is 6 week review time, therefore LVFD will give you 6 week review time. That did NOT go well with owners trying to open buildings and increase the tax role of the city. I'm in business of opening buildings, it's what the city should be in the business of as well. I will say FD has been very proactive in trying to get people into the building and make sure the building is safe. I think the 6 weeks comment was out of frustration. You can't change fire protection engineers who review the drawings; that's a 3-4 year process. I would be very concerned that the city maintain the philosophy that we are here to get you into the buildings and open them.

One of the things CLV really needs to work on, esp. in the down time, to bring to developer's attention early on is what LVFR's special requirements are, which are not published. Learn from developers too late. Fire protection mandates need to be discussed early on. Fire engineers need to be involved from the beginning. All of that information needs to be outlined in advanced to the developers and architects BEFORE the contracts are in place.

Bill – question: if you are a knowledgeable fire engineer and the city is using the code, interpreting and using it consistently, in theory, there shouldn't be a lot of unknowns. What causes it to happen that you are blindsided?

Example – the design team is established, contractors aren't on board yet, still in design process. FD is already involved in the front end of the design process. I have to tell architect and owner that I (fire protection engineer) have to do it as a FD mandated. Point is, if these are the requirements, they have to be written down and known at the front end.

Sprinkler designers always get involved with contractor, not with the design team. Don't know why that is that architects could hire fire protection engineers. In Nevada, it's not legal to submit plans without sprinklers.

CLV mandates that until they can submit drawings that a fire protection engineer reviews them. That wasn't written down. Pre-requisites need to be put in place in paper.

Why is it that sprinklers contractors are the only ones who can submit stuff? Why is it different from fire sprinklers and fire alarm systems? It would be a lot faster if that wasn't the case. I think it's evolved over time that the FD when they go to review systems, they need the final set of drawings, not review conceptual documents that get changed. FD require final shop drawings as their permit set. I get that, but same thing could happen with mechanical and electrical drawings, and B&S doesn't require final documents. Just wonder why sprinkler systems should be different. I have agenda that FD and B&S butt heads a lot. I heard rumor that putting FD under B&S department, which would scare me a lot. I think FD is more on their game than B&S, more professional and have a more consistent view of the world. Want them to work better together, so we don't get blindsided.

Do you have a lot of rounds of review, or get to approval quickly?
Get it pretty quick.

Quality

FD – professional on plans check and inspection? Are they quick to do their job, up to date on technologies? Yah, pretty much.

It happens occasionally they have to bump up, but sometimes have to kick it up to higher level. We run across issues we can't find something in the code book, but they want to enforce it on inspection side. It holds up the whole job. They point to Chapter 1 that says they have authority to make decisions. We want the requirements on paper to show the owners.

One example in alarm business – it was older panel, over 10 years old. FD said over 10 years old, whole system has to be changed to bring up to today's code. Nothing in the code book says we have to do it. Factory Mutual stated as long as the panel is in the wall it is fully functional. FD forced the issue, but there is nothing in the code books to state it. Panel couldn't give enough signals to make the FD happy, it could only give them 2 signals; fire, trouble, not panel trouble, gate valve, etc. Was approved 10 years prior, but came in with manufacture date and said they wouldn't honor the panel. There have been several like that. We have to build in pricing and have to double and quadruple pricing to look at the sustainability and replacement. But in the code books, nothing says it has to be replaced, but they come down and force the issue.

That was one of my big 3 items in #16. For older, existing buildings and how to apply the requirements. I don't think anybody in LV valley does a good job on having guidelines and consistency in that regard, especially in CLV in downtown LV with older buildings, they NEED to have a set of guidelines and requirements that are perhaps different than in a brand new building.

Chapter 34 in Building Code is for existing buildings and has a trade off for life-safety. That's an opportunity that I don't think many people have used. Haven't heard of a jurisdiction that made it a policy to go through the analysis for every existing building to

justify what you are going to do. There is a mechanism there, but even beyond that, I would think that both B&S and FD should have some set of guidelines with respect to existing buildings that would get people into the buildings.

None of the jurisdictions adopted the International Existing Building Code for existing buildings. For some reason there is opposition, but there are very clear requirements, depending on the extent of alteration

that one does. Part of it is that all of the renovations that we have done have been major, i.e, dropping it or doing a total gut. For years there have been none in between.

Seems to me that there are a couple overall cultural development themes that we are concerned with.

1) Unpublished interpretations B&S and FD refuse to post requirements;
2) Appeal process in FD, best we can tell is just do it. Dictatorship. In B&S it is also a dictatorship, just a formal process. Why can we stick with the UBC/IBC appeals process (new code/old code provisions)? B&S has a fire guy, why can't we make it an industry decision. City doesn't use the code provisions for an in-between process, which is the alternative means and methods. The County, at least, has an alternative process in-between. Fire code has the same provision as well.

Processes – we are working through project, have few minor issues to take care of, the inspector is out of town for 10 days, can't swap staff, in FD. Vacations can't be an excuse. If plans examiner is on vacation, we are SOL.

Conflicts between B&S and FD: two different perspectives. One person left example of their paperwork an process to see the duplicate work. Both B&S and FD looks at same thing. B&S looks to verify fire protection, FD looks to verify fire protection. Check for UL/FM approved.

Throughout the process, I believe that B&S and FD do not like each other, at all. B&S and FD do not get along, and that created problems throughout the process. Why? There is competition between FD and B&S to do I don't know what. It's probably throughout jurisdictions, but in the city its worse. FD refused to get on same code as city, and it was not good and no reason for it. Why adopt International Building Code but not International Fire Code? Not sure why culturally the FD butts head with B&S but it needs to stop.

Big issue on large developments are the life safety reports or fire protection reports (terms are interchangeable) that are both B&S and FD. LV B&S has never reviewed these things, which flabbergasts me. FD doesn't review building code stuff. B&S needs to review these reports. High rises require them. That document is the design basis document. Critical building code information that B&S safety needs. Building inspectors

have no idea what's inside this report. They are approving stuff in the field contrary to the fire protection report and the fire inspectors are feeling put upon because they have to enforce these documents.

Inspections – coordinating inspections between CLV, sprinklers. If on permit applications if there is a spot for telephone numbers who will send out information on scheduling times, rescheduling, etc. so all parties will be informed. If the city inspection scheduling person does that.

Best way to communicate with folks? E-mail is best. Hard copy, can flag it, put in schedule, etc.

If when you schedule inspection, to have a check box that would automatically shoot an e-mail out for everyone. Would cut down on a lot of work for scheduling and rescheduling.

Inspection – 3 people show up – sprinkler person, monitoring person, fire, and B&S. If we don't contact sprinkler or monitoring people, it's big cost. Nice when it's together. If one doesn't show up, it costs owners \$. Just not efficient.

Fire Code Changes with no input. There ought to be industry communication prior to any changes. There has been some industry input, but in the past it hasn't been the case in all the area. They will modify 2009 items. Coordinating amendments, but there will be slight differences. It's going to be fairly consistent.

CLV is not changing their retrofit. Don't plan to change it. So it won't be completely consistent. It would be nice if all Clark County jurisdictions would be same so we know what we are dealing with. It's a big stress reliever if technician would know the consistent codes valley wide.

Employees of County and City would be much more interchangeable. Literally, if city was jammed up, someone from County could do inspections if they were both on same code and same interpretations.

Is City toughest anywhere they need to review? Sprinkler retrofit ordinance is the big one. One thing the CLV FD doesn't do as well as Henderson for example, is communicating changes to the code or changes to the interpretation of the code to the engineering community. Can't keep up with all the changes, need updates.

ServiceOne good thing CCFD does is a standing weekly meeting where I can discuss multiple projects, which is a big time saver. I may have LVVWD and Civil Engineer and owner there to discuss one particular project. It is a regular process of discussion so we can keep the projects compliant. If there are specific code interpretations that relate to the projects, hopefully they come up in the discussion. I think developed as a method so that CCFD wouldn't get 40million calls everyday. Came out of when it was an overload, developers found out and joined in. Works pretty well.

Don't necessarily need it in City, but for big projects is excellent. It is predictable from our standpoint and the client's standpoint since we have a regularly scheduled meetings; more definitive to have the standing meeting times.

Published standards for plans check and stick with them. Want more guidelines, be consistent. County offers it now, publish guidelines, checklist, CLV should do the same. As they change things, they update.

Utility approval before final. More fire demands on our system, want opportunity to see if existing infrastructure can support the proposed development before they come out of the ground. Also want, when adding to existing development, to see if existing services are adequate. Need that opportunity in the design process before they ever break ground or have approved plans or permits.

FD website is horrible to use. Info is not up to date. Very difficult to get the applicable code info from the CLV page. You have to know where the stuff is hidden. It needs a total revamp. That is how CLV could really support the FD to do this. We always have to call and ask if that is the current guidelines and FD usually says no.

Chokepoints: none consistent

Sprinkler retrofit ordinance – city adopted, no one else does it. At what point does the retrofit restart? It's all interpretation.

What else is on the top 3 list? Inspection side – over last year and a half, we've been going through hopefully a streamlining process for the all systems test. In the old days it was everyone from B&S, FD might have 50 people there. It was generally very disorganized. There was an attempt to streamline it. All systems testing needs more work, thought, concerned resources to get it done.

One of the things is that CLV requires for smoke control systems to have a 3rd party verify the system works. I try to encourage FD visit while the 3rd party is out to verify the work so that at the end of the day, FD really accepts the 3rd party report. Trying to get the # down to keep costs down.

Need FD to verify the 3rd party is checking their stuff. It will require they go out at 3am, I don't think they want to do that. But it's needed.

Review all systems testing and have FD accompany 3rd party reviewer as part of their inspection stuff instead of at the very end. Coordinate with B&S so they don't contradict in the all systems test.

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- CLV Fire Department are employees of the city. Submitted two separate permits for identical purposes, one to city and to fire department, way to combine the two, reduce the duplicate fee, get rid of doing twice the work would be a benefit. Alarm Co to monitor a fire system, we have to submit a permit form to CLV, then submit the exact same form to Fire Department, with two separate fees. It's twice the work. Physically now, electronically copying and sending or physically copying and sending is a waste of time.
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Is the process the thing that allows the reasonable review time, or is it the economy that allows it? More people to do it, less volume. I'm worried about what's going to happen when things kick up.

What is a reasonable time?

Predictability VS Timeliness – You can't expect a 1-2 week turnaround on a really large project, but it seems like at least in the last two years, that everything has been 3 months, no matter how big it is. It seems like first in, first out, just have to sit and wait, whereas maybe there needs to be some mechanism so that smaller projects can travel through the process quicker.

In sprinkler – fire review side there is an over-the-counter process that works really well that no one else has. It would be best to separate by size. City of Henderson has a scheduling system. Build systems to accommodate project size. Most of us don't expect a 40 story high rise to go through plan review in 2 weeks, but we do expect small projects to do so. We'd like to know when the expected time would be?

How do you separate big and small projects? Contract value is one, # sheets in the submittal, whether it is a TI, shell, or both, square footage, # of devices, # floors, high rise from low rise – breakpoint would be 4-5 stories 55ft. (there is a code definition from high rise we could use). Have to change the division somewhere lower, high rise more than 2 weeks, low rise less than 2 weeks. Some projects are very small, TI have like 38 sprinklers, some have just 2 devices. CLV has more devices or heads. In CC, need a plan for everything. Need breakpoints for smaller jobs in low rises. Something to work out. Where is the median, then draw the lines.

One thing CLV does now, can make an appointment for plan, take an over the counter appointment, take 30-60 minutes for small plans. If it takes longer than 30 minutes, have to submit, takes 2-3 weeks now. Over the counter is same day or one or two days at the latest. Big plus to have that option, over the counter plan review.

Often projects come in quick, want quick overtime. Would be nice to have option to pay extra for OT to get the review done quickly. Expedited lines can slow down – like Clark County.

How do you fix the Expedited process? Add resources, charge more to get the additional resources. If everyone does it, can be same 2 week turnaround. Small jobs, maybe not require plan review, or have a 3rd party plan review where 5 people who can do plan review and stamp the drawings outside CLV, only thing city would have to do is final inspection.

Does CLV use 3rd party plans check now? NO

Problem with 3rd party would be consistency. Which could become a problem, like in other jurisdictions.

One problem was that cuts were equal across the board, but didn't take into account the complexity and types of work that were getting done, Fire Department took same type of cuts, but larger, more complex workload.

County is 6 week review time, therefore LVFD will give you 6 week review time. That did NOT go well with owners trying to open buildings and increase the tax role of the city. I'm in business of opening buildings, it's what the city should be in the business of as well. I will say FD has been very proactive in trying to get people into the building and make sure the building is safe. I think the 6 weeks comment was out of frustration. You can't change fire protection engineers who review the drawings; that's a 3-4 year process. I would be very concerned that the city maintain the philosophy that we are here to get you into the buildings and open them.

One of the things CLV really needs to work on, esp. in the down time, to bring to developer's attention early on is what LVFR's special requirements are, which are not published. Learn from developers too late. Fire protection mandates need to be discussed early on. Fire engineers need to be involved from the beginning. All of that information needs to be outlined in advanced to the developers and architects BEFORE the contracts are in place.

Bill – question: if you are a knowledgeable fire engineer and the city is using the code, interpreting and using it consistently, in theory, there shouldn't be a lot of unknowns.

What causes it to happen that you are blindsided?

Example – the design team is established, contractors aren't on board yet, still in design process. FD is already involved in the front end of the design process. I have to tell architect and owner that I (fire protection engineer) have to do it as a FD mandated. Point is, if these are the requirements, they have to be written down and known at the front end.

Sprinkler designers always get involved with contractor, not with the design team. Don't know why that is that architects could hire fire protection engineers. In Nevada, it's not legal to submit plans without sprinklers.

CLV mandates that until they can submit drawings that a fire protection engineer reviews them. That wasn't written down. Pre-requisites need to be put in place in paper.

Why is it that sprinklers contractors are the only ones who can submit stuff? Why is it different from fire sprinklers and fire alarm systems? It would be a lot faster if that wasn't the case. I think it's evolved over time that the FD when they go to review systems, they need the final set of drawings, not review conceptual documents that get changed. FD require final shop drawings as their permit set. I get that, but same thing could happen with mechanical and electrical drawings, and B&S doesn't require final documents. Just wonder why sprinkler systems should be different. I have agenda that FD and B&S butt heads a lot. I heard rumor that putting FD under B&S department, which would scare me a lot. I think FD is more on their game than B&S, more professional and have a more consistent view of the world. Want them to work better together, so we don't get blindsided.

Do you have a lot of rounds of review, or get to approval quickly?
Get it pretty quick.

Quality

FD – professional on plans check and inspection? Are they quick to do their job, up to date on technologies? Yah, pretty much.

It happens occasionally they have to bump up, but sometimes have to kick it up to higher level. We run across issues we can't find something in the code book, but they want to enforce it on inspection side. It holds up the whole job. They point to Chapter 1 that says they have authority to made decisions. We want the requirements on paper to show the owners.

One example in alarm business – it was older panel, over 10 years old. FD said over 10 years old, whole system has to be changed to bring up to today's code. Nothing in the code book says we have to do it. Factory Mutual stated as long as the panel is in the wall it is fully functional. FD forced the issue, but there is nothing in the code books to state it. Panel couldn't give enough signals to make the FD happy, it could only give them 2 signals; fire, trouble, not panel trouble, gate valve, etc. Was approved 10 years prior, but came in with manufacture date and said they wouldn't honor the panel. There have been several like that. We have to build in pricing and have to double and quadruple pricing to look at the sustainability and replacement. But in the code books, nothing says it has to be replaced, but they come down and force the issue.

That was one of my big 3 items in #16. For older, existing buildings and how to apply the requirements. I don't think anybody in LV valley does a good job on having guidelines and consistency in that regard, especially in CLV in downtown LV with older buildings, they NEED to have a set of guidelines and requirements that are perhaps different than in a brand new building.

Bill – one of the issues is going to be downtown buildings. If we are to make the shift and the code isn't clear, what would you recommend to the city on how to deal with it?

Chapter 34 in Building Code is for existing buildings and has a trade off for life-safety. That's an opportunity that I don't think many people have used. Haven't heard of a jurisdiction that made it a policy to go through the analysis for every existing building to justify what you are going to do. There is a mechanism there, but even beyond that, I would think that both B&S and FD should have some set of guidelines with respect to existing buildings that would get people into the buildings.

None of the jurisdictions adopted the International Existing Building Code for existing buildings. For some reason there is opposition, but there are very clear requirements, depending on the extent of alteration that one does. Part of it is that all of the renovations that we have done have been major, i.e, dropping it or doing a total gut. For years there have been none in between.

Seems to me that there are a couple overall cultural development themes that we are concerned with.

- 1) Unpublished interpretations B&S and FD refuse to post requirements;
- 2) Appeal process in FD, best we can tell is just do it. Dictatorship. In B&S it is also a dictatorship, just a formal process. Why can we stick with the UBC/IBC appeals process (new code/old code provisions)? B&S has a fire guy, why can't we make it an industry decision. City doesn't use the code provisions for an in-between process, which is the alternative means and methods. The County, at least, has an alternative process in-between. Fire code has the same provision as well.

Processes – we are working through project, have few minor issues to take care of, the inspector is out of town for 10 days, can't swap staff, in FD. Vacations can't be an excuse. If plans examiner is on vacation, we are SOL.

Conflicts between B&S and FD: two different perspectives. One person left example of their paperwork an process to see the duplicate work. Both B&S and FD looks at same thing. B&S looks to verify fire protection, FD looks to verify fire protection. Check for UL/FM approved.

Throughout the process, I believe that B&S and FD do not like each other, at all. B&S and FD do not get along, and that created problems throughout the process. Why? There is competition between FD and B&S to do I don't know what. It's probably throughout jurisdictions, but in the city its worse. FD refused to get on same code as city, and it was not good and no reason for it. Why adopt International Building Code but not International Fire Code? Not sure why culturally the FD butts head with B&S but it needs to stop.

Big issue on large developments are the life safety reports or fire protection reports (terms are interchangeable) that are both B&S and FD. LV B&S has never reviewed these things, which flabbergasts me. FD doesn't review building code stuff. B&S needs to review these reports. High rises require them. That document is the design basis

document. Critical building code information that B&S safety needs. Building inspectors have no idea what's inside this report. They are approving stuff in the field contrary to the fire protection report and the fire inspectors are feeling put upon because they have to enforce these documents.

Inspections – coordinating inspections between CLV, sprinklers. If on permit applications if there is a spot for telephone numbers who will send out information on scheduling times, rescheduling, etc. so all parties will be informed. If the city inspection scheduling person does that.

Best way to communicate with folks? E-mail is best. Hard copy, can flag it, put in schedule, etc.

If when you schedule inspection, to have a check box that would automatically shoot an e-mail out for everyone. Would cut down on a lot of work for scheduling and rescheduling.

Inspection – 3 people show up – sprinkler person, monitoring person, fire, and B&S. If we don't contact sprinkler or monitoring people, it's big cost. Nice when it's together. If one doesn't show up, it costs owners \$. Just not efficient.

Fire Code Changes with no input. There ought to be industry communication prior to any changes. There has been some industry input, but in the past it hasn't been the case in all the area. They will modify 2009 items. Coordinating amendments, but there will be slight differences. It's going to be fairly consistent.

CLV is not changing their retrofit. Don't plan to change it. So it won't be completely consistent. It would be nice if all Clark County jurisdictions would be same so we know what we are dealing with. It's a big stress reliever if technician would know the consistent codes valley wide.

Employees of County and City would be much more interchangeable. Literally, if city was jammed up, someone from County could do inspections if they were both on same code and same interpretations.

Is City toughest anywhere they need to review? Sprinkler retrofit ordinance is the big one. One thing the CLV FD doesn't do as well as Henderson for example, is communicating changes to the code or changes to the interpretation of the code to the engineering community. Can't keep up with all the changes, need updates.

ServiceOne good thing CCFD does is a standing weekly meeting where I can discuss multiple projects, which is a big time saver. I may have LVVWD and Civil Engineer and owner there to discuss one particular project. It is a regular process of discussion so we can keep the projects compliant. If there are specific code interpretations that relate to the projects, hopefully they come up in the discussion. I think developed as a method so that CCFD wouldn't get 40million calls everyday. Came out of when it was an overload,

developers found out and joined in. Works pretty well.

Don't necessarily need it in City, but for big projects is excellent. It is predictable from our standpoint and the client's standpoint since we have a regularly scheduled meetings; more definitive to have the standing meeting times.

Published standards for plans check and stick with them. Want more guidelines, be consistent. County offers it now, publish guidelines, checklist, CLV should do the same. As they change things, they update.

Utility approval before final. More fire demands on our system, want opportunity to see if existing infrastructure can support the proposed development before they come out of the ground. Also want, when adding to existing development, to see if existing services are adequate. Need that opportunity in the design process before they ever break ground or have approved plans or permits.

FD website is horrible to use. Info is not up to date. Very difficult to get the applicable code info from the CLV page. You have to know where the stuff is hidden. It needs a total revamp. That is how CLV could really support the FD to do this. We always have to call and ask if that is the current guidelines and FD usually says no.

Chokepoints: none consistent

Sprinkler retrofit ordinance – city adopted, no one else does it. At what point does the retrofit restart? It's all interpretation.

What else is on the top 3 list? Inspection side – over last year and a half, we've been going through hopefully a streamlining process for the all systems test. In the old days it was everyone from B&S, FD might have 50 people there. It was generally very disorganized. There was an attempt to streamline it. All systems testing needs more work, thought, concerned resources to get it done.

One of the things is that CLV requires for smoke control systems to have a 3rd party verify the system works. I try to encourage FD visit while the 3rd party is out to verify the work so that at the end of the day, FD really accepts the 3rd party report. Trying to get the # down to keep costs down.

Need FD to verify the 3rd party is checking their stuff. It will require they go out at 3am, I don't think they want to do that. But it's needed.

Review all systems testing and have FD accompany 3rd party reviewer as part of their inspection stuff instead of at the very end. Coordinate with B&S so they don't contradict in the all systems test.

4. Notes From the Building Permits Focus Group

- Communications with the design industry and architects and the CLV. Procedures change and we don't know about it until we file. We miss new forms, applications, different number of drawings. Policy changes need to be communicated. Open e-mail to everyone involved in the process. When the county made changes to the zoning ordinance, they would send it out on the e-mail and mailing lists. Use AIA.
- It is important that customers get notified. It's important to do more than just AIA, since many people don't have access. There needs to be an avenue for non AIA people. Bill – ultimately an e-mail list or thoroughly up to date website.
- Projects with support from the 10th floor are treated vastly different from other projects all the way across the board. When a call comes down from the 10th floor, the process goes more smoothly. Council gets their hands on stuff and either pushes it through or slows it to a stop. Damage control is an issue. Influence is an issue. When a phone call gets made, it can be problematic.
- B&S has terrible problem with us/them mentality and culture of mistrust. Developers are bad; architects are trying to get away with stuff.
- Consistency issues. Two different plans checkers interpret the same plans differently. They interpret the code vastly different than the other jurisdictions.
- Civil engineers, civil works department. Mayor wanted to raise fees and wanted the industry behind them. He promised that he would straighten out the Public Works process. Civil engineers are part of the process and they impact building permits. Public Works has improved somewhat, but still takes forever. Bill – each department has its own time frame, they don't look in between departments.
- In their defense, they do work their tails off. The issue of silos with PW is a separate issue. We go express plan check for the simple reason to pull them together. Entitlement process, if there was a way to plus or minus 5% the area, or generally appears as the concept, so that it is just an administrative change rather than starting the process over, it would be very helpful. Bill – it's clear that entitlement issues are the biggest, if Council has to put a condition on it, or there is even a minor change, the process starts over.
- Bonnie – how is the Express Plans Check working out? Is it positive? Express plans check works. It's a positive in the City. Not sure why we have to do it in order to get everyone together, but at least there is a way to get everyone together. Last 4-5 projects we've done express plans checks, and everyone gets together and it makes it much easier. The only negative thing is that once the express plans check is done, it slows back down to the regular process.
- We do every project through expedited plans check. The fact that we HAVE to have the expedited plans check to get it done is a problem. There is no project that doesn't have a time constraint. Bonnie – so you wouldn't mind paying the expedited fees as a normal fee to keep this process as the standard? There isn't a single client who has been unwilling to pay extra to get good and fast service.
- Need a different approach for small projects, such as a block wall, as compared to larger projects. County has a really good system on inspection reports, at City have to call and try and reach someone. There are no assigned staff members who work with us and are accountable. It's a challenge.

- Appeals process is ridiculous, especially now. County has established method of establishing an alternative means and methods process. To my knowledge, the city doesn't even entertain this process; you just have to go to the appeals board. Wastes a lot of peoples time. County is more efficient, but not trying to give credit to the county as they are irritating every single day.
- IBC adopted performance-based design; city chose to go with prescriptive based design, where county adopted it.
- One of our biggest problems is for small and medium sized jobs when we have a job requires placing water service, at least half as much time as the whole job to get the permit, we need a streamlined way to get the process done. Say, if job is under \$3000 expedite. Same thing, why do I need to through plan check if I'm replacing a single pipe or something like that? There needs to be more involvement with the Internet, honestly. So we can get the permit and be done and out of there.
- Drawing integration process at the city, we have to do it ourselves, which is a big problem as we have to physically insert them and it is prone to errors. None of the other jurisdictions have us insert our own drawings. When our employees have to follow city policies on insertion, it's a big problem. It's a complicated job the city should do for us like the other jurisdictions do. The Holy Grail is the electronic plans submission.
- Clerical errors by the city cost clients hours to fix missing paperwork. Just another place to point fingers.
- One issue is now, with the lay offs, and is that everyone is afraid for their jobs. They are caught between operating as efficiently as possible and still be accountable. Have to get past that to be accountable.
- Disgruntled employees in plans review versus inspections. Inspectors reject something the plans review people accept. It's a VERY serious problem. The inspectors trump the plans checker, in the County they have to work it out, in the City; you have to appeal the inspector, which is why we are in appeals all the time. We do appeal at the county or Henderson or NLV, we just work it out. We have to appeal at the city.
- B&S has to review when there is building code, unless the plans examiner has that, they reject it. Fire protection report not reviewed by B&S. Rod Clark impossible to get a hold of. Rod is qualified, but hard to reach.
- ICC interpretation on code, B&S rejects it. It happens all the time where the city doesn't do ICC interpretation. Rod is a No-man. He's not interested in producing safe buildings; he's interested in enforcing code compliance. Rod isn't good at that. He's got tunnel vision. He's now the head of the appeals board. We used to have more than Rod.
- Huge flaw in the appeals board, the appeals board has the person who rejected you on it.
- In their defense, one of the problems is that they have attorneys looking over their shoulders. If there is an iota of possible problem, they aren't going to stick their neck out and get smacked by attorneys. That's a good point, but that's what the alternative means and methods process is for. Brad Jerbic ends up running the B&S department.

If you submit through ICC, the city is insulated from liability. We think that the city attorney's office influences B&S; they refer to city liability all the time.

- Political fear, justification used is legal liability. B&S is not willing to make the same kind of decisions that other building departments do all around the country. The building official no longer makes the call as he doesn't have the expertise to do it. The only one with that knowledge is Rod Clark, who is a No-man.
- Two basic issues: 1) method, which needs to be revamped; 2) leadership required to run this; and 3) whoever is the Code Official either needs to not accept performance, or will accept it as that is the entire way the process is going for the future.
- Situation requires performance, but city requires prescriptive.
- Unpublished interpretations internal to Building that aren't published. It is the city's policy that "... " but it isn't online, or AGC, etc. Code requirements are there, but the city wants to see it, we end up putting stuff on drawings that are false.
- Residential builds, big problem is communication. If there is a hold up, we are constantly trying to find out why, they don't e-mail or call, communication is just not there.
- On the field side is a stand-in inspector, who bogs up the works until a regular inspector comes back. No documented or communicated issue resolution between inspectors.
- Bonnie – what kind of tools, equipment, and training is needed for them to do their job? We're hearing also environment for decision-making in the city is bad.
- Big issue between FD & Building, how they butt heads. It's a natural friction, not just city. Other jurisdictions reconcile that friction better. The county is a challenge too. For small projects, easier to separate life safety, but on big projects, easier to slip it through by hiring someone to do that work, then B&S will rubber stamp if FD likes it.
- County-wide amendments that the jurisdictions adopt, but all enforce it separately. City tends to ignore it. On codes, plans reviewers are not involved and on their own, have to train the plans checkers. No representation from city's plan checks side on code amendments (electrical side).
- There is a mechanism valley-wide (SNBO – So. Nv. Building Officials), but city is very poorly regarded at SNBO. The city has been widely regarded as a non-participant or a joke. Gone from bad to worse as the Building official is a non-technical guy. Couldn't get the city to sign on to valley wide processes. Because of prescriptive versus performance based design – philosophical difference. IBC is based on performance based design, city adopted IBC, but not performance based.
- Philosophy of city versus everyone else is so adversarial in the field. It appears like it's a badge of honor to shut things down. Time is money for private sector, other entities work with that understanding, partner and help developers, and there is no awareness of that in the city. City doesn't partner for us. Henderson partners, one of the best, to make sure public is safe, but that buildings get built. Everyone tried to get out of the city. Profit drives business and the city doesn't have any conception of that. If city drags the process, we lose profit, so we go elsewhere to an entity who will work with us as a partner.

- Predictability is key to profitability. 100 day schedule is better every time than a schedule that is all over the map. That is the FUNDAMENTAL PROBLEM. We charge more for city projects because of the adversarial relationship the city has with other stakeholders and other entities.
- On some inspections, it's easier to save up and pay on the Saturday, rather than to piecemeal it.
- There are some good things in the city. The field inspectors actually look at our drawings. CLV has electrical inspectors that understand the drawings, read them, and enforce them. That's a plus. Henderson has combo inspectors who don't understand or read them.

Group Discussion:

Timeliness

Plans check timeliness - Depends on the plans checker; it's gotten better because there are fewer plans checkers.

Inspections – timeliness is not a problem. City was quicker to roll over anyone else when it was busier. What is a legitimate time frame for an inspection call? ONE DAY.

City works real good on same day and emergency inspections. Very seldom do they not work with us on that.

Quality We don't put construction sets for the city to approve, we put it together so the contract will build it. It's a whole different mind set in the city.

CLV weren't plan checking structural, we were for it, but think they are going to have a peer review. We were for structural being plans check. They check calculations, but for a while they didn't have the staff. Their thoroughness is very good.

Online – can check plans check but not inspections. Online inspection tracking is done in other jurisdictions and is really helpful.

Performance based design is the way the world is going, with sustainability, etc. If they don't address this issue, they can't address the mandate of an efficient city.

Service

How often do you have to call a Manager or Council person to get the plans check. Not all the time, but more often than in other jurisdictions. It's a small town.

Inspections – handled by professionals, but every disagreement has to be solved in appeals.

Electrical side, you can go to Randy Hunter, who will make a decision and does it very well. He will research and justify the answer. We may not like it, but they are consistent. Goes back to how long the stop will be.

CFO stage – one issue is that they will catch something that is valid, that could have been easily caught at the rough-in stage. It was installed weeks ago, but could have been

inspected and checked early for a mentality of helping, not hurting us. Slows down buyer getting into the house.

Commercial CFO, it is hard to collate all the NNC solutions or minor clarifications into the set and get them approved. City requires that where other jurisdictions don't.

Intermediate steps would expedite the final report. Owner is always waiting for that final report.

Fire Alarm side hard to get in to CFO meets with coordination.

Physical locations to submit – one building. Moving to the Atrium building. East tower City hall design was really well thought out to help the customer. I hope they continue that with the new city hall.

Us versus them, enforcement VS partnership is a real issue. Have been working through at least 5 city managers who have sought to turn this cultural thing around and were not able to do it. Why can't we change from institutional entity to partner based. This is good news someone is looking from the outside. City is hardest jurisdiction to work with. If city would go to NOV program it would be phenomenal. NOV is notice of violations inspected to see what changes would make without permits.

Need to shift to performance-based to truly build buildings that are efficient and compete in this world, we have to do it.

Appeals board is set up with city internal staff. Needs to have external experts on the appeals board, like with other jurisdictions.

Submit utilities under certain guidelines and processes, which would be very helpful. Also separate counters for separate types of builds. Why should a block wall go to the same counter as a hotel? Makes no sense

5. Notes From the Drainage Studies, Traffic Studies and Civil Plans Focus Group Meeting

Group Discussion:

Civil Plans

Personal preferences in review (by the reviewers – imposing personal style in improvement plans that doesn't affect public safety or right of way). Bill – what do they say when you ask them to show you the code? Typically it ends up in an argument and they say if you want my signature you will do what you want.

Not how can I help, but why should I do this attitude from management all the way down. Pervasive throughout department down to plan check level – Land Development (Wayne Dowdy and Dennis Moyer)

Developers must physically move the mylars between departments. No one in the city is allowed to do so, and it's only three steps between Planning (who calls for the developer to pick up the plans, then turn into Land Development). They used to do it, but don't anymore.

After they have approved plans from Civil, they get sent off to be copied, when developers get approved plans back, they have to make more copies and then go back and resubmit even though there are copies in their plans library. They don't talk to each other. Two status in CLV tracking development process – approved and completed. Water district won't sign until it says completed. This causes big delays. Spend about an extra 100-150 miles and 3-4 hours of the processor's time for the signatures.

Unless 3 line items all say complete, we can't submit total plans to get signed by planning to get engineers. Won't even accept fees.

This issue occurs with even CLV projects.

The departments need to communicate and TALK to each other.

Design side on plans check – that's the personal preference issue.

We do design, show design, they come back with changes. Then when we submit again, same plan checker wants it revised 180 degrees or back to where it was originally submitted, specifically to traffic.

Review times are too high, last traffic study waited 2 months.

Has been instances where tracking the study has been faulty. They will lose it. It was on someone's desk and he/she didn't realize it. Lost/slow because of misplaced studies.

Back in busiest season, I would have waited 4 months, or gone to get replacement sets.

Drainage Studies

Deed access to existing, approved drainage studies. County puts previous studies online. Need the existing studies to update the current study. Have to physically research or track down the original consultants to get copies.

Fees are less in county than working in city, because I can access the old studies from the county website. City has the information, but it is not scanned and not accessible. Bad customer service. The city has access, but the developers don't. It's like looking for buried treasure.

Centennial standards are available, but you have to call and request you the pdf, but they aren't available online and you have to know EXACTLY which one you are looking for. Need more communication, availability of documents, old studies online. GIS mapping, etc.

City could provide lists of related studies.

Generally, we feel that drainage studies go well, however, one thing that is just phenomenal – condo conversions. Make sure it complies with existing draining study, check it, except THEN they wanted us to make improvements, and lots of them. Then it became a moving target. It was the moving target problem that created a headache. Tied to the draining study putting asphalt on adjacent roads or improving sidewalks, which doesn't have anything to do with draining. The list juts got longer and longer and longer. It became so much of a hassle that we stopped doing condo conversions in CLV, kept doing them in all other jurisdictions.

Lack of communication – if studies expire, send a letter notifying developer so they can update and get a current approval letter.

Traffic Studies

Water district is different. Do not NEED permits, plan checks, or inspections on LVVWD build, only need NDOT permits, etc. CLV tries to enforce it and leave blank lines on the bond estimate forms that they fill in later and hit it by surprise. They charge fees arbitrarily. There are no estimates. The new bond estimates are insane. They made it so that the fees don't change, but the amount of the bond changes. Didn't get council approval. Development costs more, so we justify it.

New bond estimate forms are NUTS. It is insane.

Code is clear for storm and sewer, but is very UNCLEAR for water. Almost was written for just customer distribution of power.

If someone makes a call (to the 10th floor), things suddenly CHANGE. Same for traffic and draining. Not so much civil. Traffic has far reaching implications, so it happens quite often.

Often LVVWD will go drill a small hole to maintain the system, Ozzie forces them to upgrade the fire hydrants by refusing them to sign, trying to blackmail them into updating the development. If necessary, they do it under emergency permit. What happens is that they agreed to reimburse LVVWD for the hydrants, but not for the installation. Installation was not even on the street where work was going. Same thing occurred for transmission, forcing updates when it is just maintenance. Can see if it's requirement of developer, but not for basic maintenance and because you are just IN the area.

Timeliness/ Predictability

Imposing personal preference significantly delays it.

If it is not EXACTLY as shown on the improvement, inspectors now force them to make revisions to the plan and submit it again. Cannot just show them in the as-builds. Talking submittal fees, revision times, approvals, etc. Because inspectors aren't allowed to use their knowledge.

Same thing occurs in civil plans, sometimes the change is so small but they still force them to resubmit on the blue lines. In county, if it is not life safety, we can comment and submit without changing the mylar. Henderson FD likes to say blue lines, but if you meet with them, they will be reasonable, but not CLV.

Inspections – LVVWD tries to do the right thing and close out the permits so the contractor does not get any penalty. We do everything we can to get inspections, send letters, call in for inspections, and it still runs a couple of months to close the permit. With the emergency work on distribution side, we have own inspectors go in, then call for their inspectors, then have to renew permits constantly. Then they come back saying

we don't like this small issue, then we have to redo. They then accuse us of not cooperating with them to get the inspectors to come close out permits.

Letters will be sent all work is complete 3 weeks prior to permit expiration, if they don't inspect before the expiration date, we have to renew permits. They should go out within 24 hours of receipt of the request for inspection. We are told that LVVWD is treated differently, "when they get around to it" and we are as much a developer as private sector. State law says we don't have to do it, but we still do it. We are ready to go back to not bothering permits. LVVWD will not release contractor from contract obligations until the city inspects it. They are held up for 2-3 months because the city won't close out. QualityCivil – no problem with professionalism.

Draining – getting new people that still need training, we seem to have to train them. Part of the problem is that people that are reviewers have never worked in the private sector. They've been in public agencies their entire lives and don't understand; there is no sense of urgency. Complete disregard that we are trying to get a job done and make the city better and there is a developer with a load of cash who want to invest it in the city so why does the city start with a No?

This area has TOO much empowerment. Centennial standards are the worst. Same in Summerlin, and their HOA.

Service

Favoritism: Lot of it is just personalities. If there are reviewers you get along with, and the plans go to that person, you'll have an easier time with it. City seems stricter on city projects than non-city projects. Others found the opposite to be true. The wish lists don't appear, private side has cumbersome issues to address or conditions to meet.

Biggest issues:

- Publish standards
- Get rid of personal preference
- Make sure codes are met, don't go outside it
- Departments coordinate with each other
- Take the attitude we are here to encourage development and be here for developer, the attitude would change within the city
- Easier to do development if it is an unimproved area versus a developed area
- Land development doesn't coordinate with design within P&D

Appendix D

Staff Responses to Focus Group Input

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Staff Responses

Bill Kirchhoff summarized the Focus Group meetings: 5 meetings, multiple attendances by developers, 50+ participants; they were civil but frustrated, specific examples were provided, minimal personal attacks. One of the difficulties is applying new codes to the old parts of downtown; until that gets resolved, there won't be much development.

Are we being compared to the Henderson model? NO

What are the top five priorities?

- INCONSISTENCY
- INSIDE POLICY DECISIONS THAT ARE NOT PUBLISHED
- MECHANICS OF THE PROCESS THAT SHOULD NOT BE THERE; EVERY SILO IS MANAGED BY A DIFFERENT BUSINESS SYSTEM AND CULTURE, BUT DEVELOPMENT & REVIEW HAS TO GO THROUGH ALL THESE

If one person said in this organization, we are going to produce the inconsistency complaints and that is our focus for the next year, then everyone could hop to it.

Question of the make-up of the focus groups? Did they include developers, contractors, and engineers? THERE WERE FIVE GROUPS: Sprinkler; Traffic, Civil Plans & Water; Development; B&S; etc.

Bill: I don't see any routine Development Process meetings that deal with these issues, and they should be done almost on a weekly basis.

Chief Bell – I concur, we don't meet, and maybe we should.

Bill: I've never been in a city where the Development team didn't meet on a weekly basis to resolve issues in the process. For example, when engineers and developers have to insert their own changes in the plans; I've never heard of that anywhere.

It was to expedite their process.

Bill: I wouldn't do that; I wouldn't want couriers to mess with city records.

Ozzie – This was an approach to help them speed up the process.

Dennis - The easiest solution would be to have B&S handle all this, but it would require that B&S increase their staff back up.

Bill: We are looking for the BEST solution, not the easiest. Adding staff is not necessarily the answer. One other issue was that plans come up missing all the time.

That and the plan inserts would be addressed with the electronic plans check. What type of missing plans?

Bill: Sets of plans go missing internally; staff has to track down plans to review them.

Chief Klein: Plans check in and check out application in HANSEN does not work. It's cumbersome and takes longer to review check in/check out than to review the plans. The tool we use isn't designed for plans check. HANSEN was designed to count manholes, and has been adapted to do what we do. It's a closed architecture; we don't have control of the software architecture to make changes to make it easier. Our goal is to give the customer what they need in a timely manner.

Bill: We don't want plans to be out and not know where they are.

Dennis - Could establish a librarian, Chris (Knight) and I have talked about that in the past, but it never got done.

Bill: I'm not being critical, just saying while this is low level, it should be looked at. I'm just saying the dialog doesn't happen.

Dennis - It does happen, we do have dialog. Chris Knight discussed the librarian, not sure why it didn't happen.

Yolanda – STAFFING

Ozzie – To do this, we have to have the staffing. We are enterprise funded.

Bill: You may not need additional staff, maybe just balancing staff.

Dennis - In reality, the plan wasn't lost. Just being used by someone else. Has the city ever lost plans? B&S

Rod – yes, rarely. It's usually as simple as one plan rolled into another plan when a reviewer is reviewing multiple sets of plan.

Dennis - When you are talking about time lost looking for plan, what is the comparison with developers having them waiting for resubmittal?

Bill: I'm looking at it at a more fundamental level. Chasing plans costs money.

Dennis - It's an issue that we are working on with the electronic plans review. We aren't going to lose it. It will be PW methods of sending multiple plans out.

Bill: How many plans are actually required? I have yet to get a consistent answer.

Dennis - Depends on what it is for. If you do the entitlement process, it can be up to 22 – 25 sets. Civil requires 5, Fire requires 3, and B&S requires 2.

Ozzie – We need to look at B&S, as they are the hub. We need to get a number of how many to need to prevent loss.

Chief – It's not fair to say they are lost, they are just being utilized.

Bill: Untracked then.

-- Another issue to address is the plan coming up for review, out of order. What if they were set up in order, and so that plans are available by time.

Ozzie – that's a problem there.

Rod – we analyzed it internally and the linear system takes more time than the rotation system.

-- Hansen knows what reviews need to be done; it should open it for those who need it.

Ozzie – I've been asking for that for a long time, but it costs a humongous amount of \$.

Chief Klein– this isn't a Hansen bash-fest, but we've been looking at this for year.

-- We are already getting complaints about how many plans we have to submit.

Bill: but how complicated is that. If you determine the number of plans you need, it's a done deal and a non-issue. Nobody in this org can tell me # of plans needed or received.

Chief Klein– categorized on the type of drawing and project scope. There are different types of reviews.

Bill: Development community anywhere would much rather provide more plans if it will speed up the process.

Dennis - 22 when getting entitlements; then B&S requires 2 sets. They are different drawings. Multiple processes that occur linearly.

Chief Bell – do it this way because to have them submit the entire group of plans is not feasible.

Ozzie – for Construction – 5 sets of civil for all the departments. I think that's where the bottle neck is. Recommend make it 5 to simplify this process.

Bill: I still can't find out how many are truly needed. If 2 gives you a problem and 5 clean it up, why not do 5? There isn't a mechanism here for this type of dialogue and decisions.

Sherri – It was my understanding when HANSEN was being developed that developers would get access and sees all the inspectors' comments. A lot of the contractors in the field still don't have that information. They don't know how many comments are available or what is available. Seems like part of this is misperception.

Bill: here's another example of lack of coordination. If you want a business license, you go to business license, but they send you to P&D for zoning. P&D gives them zoning information. Planner doesn't sign off that they are zoned appropriately, they are just sent back to licensing.

-- Planning does a zoning check in the mainframe system. If denied, then a generic letter goes out, doesn't explain WHY the license was denied. Sometimes the business owner doesn't do their homework but Planning is blamed.

Chief Klein– sometimes it is because the building is not safe to do the business. Planning did their job.

-- Sometimes the applicants don't explain WHAT their business is and zoning depends on that.

Bill: why do applicants have to troop back and forth between facilities and departments? Why can't it take a telephone call?

-- Sometimes in past it was quicker to drive down rather than us to call.

Chief Klein - in all honesty, applicants can use city interactive map to check zoning too.

Bill: is it worth making the adjustments in Finance & Business services to expedite this and so P&D planners don't have to spend time on this?

Bill: Lots of little problems in the process, not departments. Most of the problems are mechanical. Org structure issue may be solved with the DCM over all development departments. Final is org culture. No single culture established.

Sherri – did the focus group participants asked for a single point of contact or list of information?

Bill: yes, the County website for development is much easier to use and more information provided than Clove's site. The goal for the website is to decrease the number of calls received. County only has 2 clicks and into development area. In CLV, almost to 4-5 click level. The developers say we they just call the FD and they tell us. But IT has to have the right information and sites.

Dennis – if we are going to be honest, IT is a major problem. Hansen went out in 2005, phase 2 was started 6 months later and we are still working on it.

Bill: that relates to the whole IT system. The fact you don't have an electronic plans submittal process surprises me. It's the IT side of it. I didn't even think about that you didn't have an electronic tracking system in a city of this size.

Dennis – We have tracking, just not a plan review system. You have to have a stamped set of plans for approval, not for reviews.

Bill: If IT had the system in 5 years ago, when the state law came in, the bugs would have already been worked into the system. My criticism on that is the IT department, not this group.

Bill: Any other questions? My suggestion is that a committee gets established to go through findings and determine which ones are accurate and which are misperceptions.

Chief Klein - I want to address the comments on code changes. In the previous code adoptions, there have always been non-city related people involved. In this group of codes, we have the same people there before and same engineering groups. These comments that we change with no input isn't really true. We have met legal requirements for transparency.

Bill: Typically coming from two different architects from different firms.

Ozzie – sometimes they develop plans a year or so out and the code has changed between the time of submittal and actual build out. We have tried to be proactive, tell developers of upcoming code additions and they complain that it isn't in the code currently.

Dennis – what do you want us to do with this information?

Bill: I will put this in the report, and eventually management will determine how to deal with the report. My guess is that they will go over the feedback and address these issues as issues or as non-issues. It's a customer survey.

Dennis – none of us knew the purpose of this meeting when we started.

Bill: You are talking about stacked silos again. Spoke with DCM and Department Directors and the fact that you didn't know about this meeting's purpose tells me there are still communication issues.

We have two levels of this. The summary report, in the final report, we will stick everything that has been typed up into the final report.

Chief Klein - is there a chance to respond to these comments?

Bill: Not to me. These are just findings that are part of the report. After the report is received, Department heads will go through each finding and validate/invalidate them. They will identify 25 or so priorities, and as a unified group, they will develop a plan of action.

Bill: I will recommend an implementation committee. I strongly encourage the DCM to be involved; a lot of this stuff takes finance and organizational change, but not necessarily the directors. In my findings, they are generally critical because we don't look for the positives. But I can tell you that a lot of the information is wrong.

Bottom line, departments run very well, but the process is horrible. For a city of this size, level of professionalism, staffing level, these problems should occur.

Rod – seems to me the silos occur from the top down. We in the front line talk to each other all the time.

Bill: Like this?

-- Some of them are project based. Not like this for the process.

Ozzie – on the process, it's usually a telephone call.

Rod – We don't live within silos because we can't operate within them.

Bill: Almost all my findings will come from the staff, and the written reports submitted by departments. I doubt there is one thing that I will bring up that staff hasn't mentioned. The flaw is not in the level of professionalism, work ethic, but in the connectivity.

Chief Bell – is there only one way to do that?

Bill: The DCM of development has to spend time on this. That deputy, for a city in this size, has to have 80-90% of his or her time dedicated to development stuff. The caveat is we need someone with a development background to do this.

Chief Bell – then the organizational structure, and the head over development process would be accountable to the DCM.

Bill: If you have a qualified person at DCM level, then all the process stuff could be straightened out.

Chief Bell – could that be a unified command rather than one person, say an SME from each department, work for this?

Bill: Ultimately, in a bureaucracy, there is one final person responsible. The Henderson model uses a task force process instead of one person. Sometimes its personality or interdepartmental tensions, and ONE person (the DCM) has to break the tension and decide what the priorities are. If I got a report as a CM, I would tell the DCM that they have 6 months to get this fixed, so work with your departments to fix the process.

If you had more meetings like this, you could hammer problems out. The development is driving the community; it is more competitive now and will be for the next two decades.

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Appendix E

AIA Las Vegas Input

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Las Vegas AIA

A Chapter of the American Institute of Architects

November 10, 2009

Kirchoff & Associates
PMB LM013
P.O. Box 189003
Coronado, CA 92178 9003
Attn: Mr. William E. Kirchoff, Managing Partner

Dear Mr. Kirchoff,

The efforts of the City of Las Vegas to improve the development review process are greatly appreciated by the Las Vegas Chapter of the American Institute of Architects. Our members care deeply about this City and believe that together we can effect positive changes. You have asked for our input and accordingly, we are providing you with a summary of our concerns.

This letter is presented on behalf of the members of the Las Vegas Chapter of the American Institute of Architects, and the AIA Las Vegas Codes Committee. AIA Las Vegas represents approximately 85% of licensed architects practicing and residing in Southern Nevada. Many of our members are experts on Building Codes and City Planning and have diverse design experience in jurisdictions throughout the Las Vegas Valley and literally across the world. This paper seeks to summarize the sentiment of our organization in the hope that we can build stronger working relationships with all stakeholders in the development process.

The challenges associated with development in the current economic crisis are extreme. Most local architecture firms have receded to their “core” leadership teams, and it is clear that we’re not out of the woods just yet. A review of City of Las Vegas processes and procedures couldn’t come at a better time. The development community desperately needs help to efficiently and quickly move projects through the City’s development review process. To be completely frank, the other local jurisdictions (Clark County, City of Henderson, City of North Las Vegas) currently do it better. These other jurisdictions, while far from perfect, provide a more development friendly process. Simply said – it is less expensive to develop projects outside of the City of Las Vegas, than within its boundaries. Ultimately, this affects City of Las Vegas property values and seriously impacts the economic base.

Through a series of focus groups, architects and design professionals have deliberated on issues that we feel should be addressed in the City’s review of the building process. Included here are a series of concerns that, if effectively addressed, could dramatically improve the business environment, and position the City at the forefront of responsible development for the coming recovery.

Building Department

1. Professional Leadership. The City’s Building Department recently filled its Director vacancy. While we support this individual’s tenure in the position, he does not have sufficient experience in construction, engineering, design, or life safety to serve as the City’s Building Official – a technical position of significance in any jurisdiction. The individual who serves as Building Official has ultimate responsibility for the safety of buildings in our community. A competent and experienced technical leader should be identified to serve under the Director, to function as Building Official, and oversee the administration and enforcement of technical issues relevant to

the development process. It is our opinion that the skill set required for this position is not currently available among existing staff members, and the City should seek qualified individuals in a broad regional or national search.

2. Appeals Process. The City Building Department's appeals process needs to be changed to better reflect the procedures of other jurisdictions that handle the process more successfully. In its current form, the City appeals board is comprised only of City staff – plan checkers and inspectors. Few if any of these individuals have the qualifications to pass judgment on highly technical issues where alternate methods of compliance with the intent of the building code are presented. As a result, this board seldom allows construction solutions outside the strict parameters of the prescriptive requirements of the code. This creates myriad problems for developers, contractors, engineers and architects, who are denied when seeking to design and build innovative solutions to complex life-safety issues.

The International Building Code, originally adopted by the City of Las Vegas in 2004, specifies the creation of a Board of Appeals (IBC Section 112), and stipulates that its members, appointed by the governing body (City Council), “are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction (emphasis ours).”

This would be the proper composition of a City Appeals Board, and would allow for the implementation of safe and effective innovative solutions to life safety issues, as well as run-of-the-mill code interpretations and solutions.

3. Regional Consistency. Among the four major local building department jurisdictions, the City is widely considered the most strict, and to some extent, the most arbitrarily strict. It is difficult to understand why the City's building code interpretations, and Fire Code are often so much more stringent than adjacent jurisdictions. Are buildings within CLV boundaries inherently more dangerous than those in the County? In the absence of objective evidence, why are more stringent measures needed in the City? Historically, the City of Las Vegas Building Department has often avoided association, or even communication, with other valley building departments. In fact, it's only been the last few years that the City adopted the same building code as the other jurisdictions. Despite the development community's desire, and the obvious efficiency associated with regionally consistent code interpretations, the City has avoided regional consistency. This adds costs and uncertainty to construction projects within the City, and leaves developers, owners and contractors somewhat at the mercy of the City Building Department, and its internal group of Appeals Board members, not to mention discouraging projects within the City.

4. Unpublished Interpretations. The City has avoided publication of routine code interpretations, and internal code interpretation policies. This frequently leaves the design community guessing as to how the City might interpret even simple issues and conditions. The City rarely shares the interpretations of other local code enforcement jurisdictions, and there is no feasible or fair appeals process. As a result, architects and engineers are forced to redesign, and contractors are forced to build and re-build to conform to code interpretations of which they have never been made aware. This needlessly adds significantly both to design and construction costs, and creates unpredictable and costly delays.

5. Superfluous Information Required on Drawings. The City building department requires information be shown on plans submittals that no other local jurisdiction requires. The City requires that approved fire rated and other technical assemblies be copied onto the drawings and printed as part of the plan submittal documents. Architects have been told this is because the City's inspectors cannot carry the basic codes with them in their trucks. This policy has cost architects, engineers, developers and project owners hundreds of thousands of dollars over the years, simply so that inspectors are not required to carry books they already own in their trucks.

During construction, contractors request and architects and engineers provide clarification to the construction documents – it's a normal part of the construction process on all projects, large and small. These clarifications are typically provided on 8 ½" x 11" sheets, usually wet-stamped by the design professional. The City, unlike the other local jurisdictions, requires these 8 ½" x 11" pages be placed on full size drawing sheets for approval by the plans check division. It is reasonable to require these clarifications to be approved by the building department, but requiring them to be aggregated and printed onto full size sheets needlessly delays construction progress, costing untold thousands in additional design and construction fees. We have been told the reason for this policy is to make drawings easier of the City of file.

6. Performance Criteria Not Accepted. The City adopted the new International Building Code (IBC) around 2004. Prior to that date the City used the Uniform Building Code (UBC). The new IBC essentially consolidated the requirements of the three primary codes used throughout the United States – the "Uniform Building Code", the "Southern Building Code", and the "BOCA Building Code," and merged the administrative bodies supporting these codes. The new IBC represented a fundamental shift in the way buildings are analyzed and promoted "Performance Based" evaluation of building assemblies, as opposed to less sophisticated "Prescriptive Based" design. Performance based evaluation allows the designer to present building assembly solutions based on what they *do*, whereas prescriptive based evaluation is based simply on the assembly's physical characteristics, where adequate performance is *assumed*. All the other localities accept performance based analysis, but the City has not accepted this fundamental shift in building design. Instead, they require designers to go straight to appeals, in order to vary from the code's prescriptive requirements.

There is no question it's easier to plan check prescriptive design assemblies, and for smaller, less complicated buildings, this process presents few problems. However, for larger more complex projects, prescriptive based design does not allow for the safest and most innovative, state of the art solutions.

7. Inspection Issues. City of Las Vegas Building Inspectors often over rule plan checkers. Despite what is often an insufficient understanding of building code and life safety issues, inspectors often "fail" constructed work that conforms to the approved permitted plans. When this happens, the contractor has no recourse other than to submit for an appeal hearing, often waiting a week or longer. This causes constant and costly delays in the construction schedule. In the other local jurisdictions, disagreements between field inspectors and plan checkers still occur, but they are usually quickly resolved, often by phone, on the spot.

City of Las Vegas field inspectors rarely quote the reason for rejecting "non conforming" work. If the inspector finds work to be non conforming, he should note on the rejection notice the reason for the rejection, and always provide a specific code reference and/or a specific reference to the detail in the construction documents with which the work does not comply. The lack of these references causes significant construction delays and increased costs.

8. The Cultural Challenge. The City Building Department can at times be somewhat difficult and unhelpful. Design professionals often feel it's an "us against them" mentality. It is difficult for us to understand why the City Building Department doesn't embrace more of a team approach with the Las Vegas Valley development community. We desperately need a strong and sincere commitment to "customer service". This would represent a dramatic cultural shift within the building department, and would position us to address all our issues together. The current culture has been institutionalized, and is deeply engrained, but if we can "fix" just this one problem, we believe all the others would fix themselves.

Fire Department

1. Fire Sprinkler Retrofit Ordinance. The City adopted a Fire Sprinkler retrofit revision to the Fire Code in May 2005, requiring existing buildings, not required to be sprinklered when originally constructed, be retrofitted with new sprinklers, or new Fire Barrier walls. The amended City Fire Code states: **13.3.2.3.5 Alterations, renovations, tenant improvements, or any change in occupancy use in any existing building greater than 10,000 square feet in total area, that contains an area greater than 5,000 square feet that is not separated by a 2 hr fire barrier, shall require the installation of an automatic fire sprinkler system within the entire building. (Ordinance #5768)**

The problem is the broadness of the “triggering event.” This is being interpreted by the building department and fire department as being required with virtually any alteration, revision or tenant improvement. None of the other jurisdictions apply retrofit requirements in this way, and this one revised clause in the Fire Code has the affect of adding dramatic costs even to the most minor improvements. At a minimum, the City should better define the threshold of work necessary to trigger the sprinkler retrofit, and this threshold should be set fairly high. An appropriate threshold might be:

a. A change in use or occupancy resulting in a use or International Building Code occupancy classification more stringent than that approved with the most current Certificate of Occupancy; and /or b. Improvements representing changes to more than 25% of the floor area.

A change in tenancy in itself should not trigger a retrofit. Neither should maintenance activities, repairs, replacements, etc.

Planning and Zoning

Planning Staff Lacks Authority to do their Jobs Effectively. Planners seem reluctant to express an opinion about a project proposal. Perhaps they fear a reprimand, or some other negative ramification. As a result, planners become simply administrative box checkers. They are not permitted to exercise any judgment, and often present themselves as a “first defense” against virtually all planning applications. They appear not to be well respected among other city staff, and this seems to lead to a well defined avoidance of ownership or responsibility. This results in duplicated efforts and significant additional cost and time for project owners and applicants.

Planners should be mentored in the planning philosophies of their superiors and the City Council. They should be encouraged to provide meaningful input to applicants, and their judgment should be respected by their own and other departments. At the same time, the City should seek well-qualified professionals with a sound grasp of basic and advanced planning principles. As the qualifications of these individuals improve, they will begin to take ownership in the City’s planning process. That’s what it will take to earn greater respect among members of the construction and development community.

2. The Cultural Challenge. In many respects, the Planning Department suffers from many of the same cultural challenges as the Building Department. It sometimes seems to applicants that the goal is to erect as many barriers as possible to slow or completely prevent development. Developers seem to be very poorly regarded and the validity of any development approach is frequently met with skepticism, at every phase. We feel the answer is a more customer friendly and helpful environment to deal with today’s complex applications – a team approach with “buy-in” at every level. We’re building the City together.

3. Superfluous Layers in the Submittal and Review Process. The Pre-Submittal process is unproductive and inefficient. The information provided by City planners at pre submittal

meetings is rarely accurate or comprehensive. When a design professional submits an application, if he/she submits the information noted by the pre-submittal planner, the City should accept it. In practice this rarely happens, and most applicants are made to scramble in order to develop additional or revised submittal documentation to avoid missing the filing deadline.

AIA Las Vegas has submitted these concerns honestly and forthrightly, and we trust they will be considered in the spirit in which they are intended – as thoughtful and sincere input. We hope you will not hesitate to contact us should you desire additional input. Thank you for the opportunity to be a part of this important process and we anxiously await the positive improvements surely to occur as a result of our working together.

Yours truly,

Randy Lavigne, Hon. AIA
Executive Director
AIA Nevada / AIA Las Vegas

James Stroh, AIA
Chair, AIA Codes Committee
AIA Las Vegas

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