



## Building and Safety Enterprise Fund Advisory Committee Minutes

### 1. Call to Order and Roll Call

Minutes:

CHAIR POTTER called the meeting to order at 10:04 a.m.

PRESENT: CHAIR POTTER and MEMBERS McOSKER, MOSS, TATUM, and HELTSLEY

ALSO PRESENT: SETH FLOYD, Community Development Director; MICHAEL CUNNINGHAM, Deputy Building and Safety Director; ROBERT NOLAN, Senior Deputy Fire Chief and Fire Marshal; JOSANNA ESPEJO, Senior Management Analyst; JAMES LEWIS, Deputy City Attorney; and BRIAN CARROLL, Deputy City Clerk

### 2. Announcement Regarding: Compliance with Open Meeting Law

Minutes:

ANNOUNCEMENT MADE: This meeting has been properly noticed and posted at the following locations in accordance with the noticing standards as outlined in NRS 241.020: City Hall, 495 South Main Street, 1st Floor; The City of Las Vegas website – [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov); and The Nevada Public Notice website – [notice.nv.gov](http://notice.nv.gov).

### 3. Public Comment: Comment during this portion of the agenda must be limited to matters on the agenda for action. If you wish to be heard, come forward and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

None.

### 4. For possible action to approve the Final Minutes by reference of the Regular Meeting of January 12, 2022

Motion made by Amanda Moss to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Robert W. Potter, Kevin McOsker, Amanda Moss, Vincent Tatum, Susan Heltsley;

### 5. Report by Kevin McOsker, Director of the Department of Building & Safety, regarding an update to the Enterprise Fund Budget for Fiscal Year 2022

Minutes:

MEMBER McOSKER reported that the FY2022 budget was completed on June 30, 2022, noting it was subject to an audit. Revenues in FY2022 were \$17,616,720, which was 116 percent of the projected total, and expenses were \$14,690,893, resulting in a positive income of \$2.2 million. He confirmed the expense total with JOSANNA ESPEJO, Senior Management Analyst. MEMBER McOSKER expected expenses to increase to about \$15 million, and that would include \$600,000 for technology improvements.

MEMBER MOSS clarified with MS. ESPEJO that the special service fees, such as express admin, express hourly plan check, and special inspection, have remained lower since the implementation of electronic plan review. MS. ESPEJO did not believe there was cause for concern since those fees were recovered with other fees. Further, the fund performed better than budgeted.

MEMBER TATUM asked how staffing challenges, such as raises to be competitive in the market, affected performance of this and future budgets. MEMBER McOSKER advised that an item on the agenda would cover staffing challenges, noting that \$8.5 million of last year's overall budget was labor. CHAIR POTTER confirmed with MEMBER McOSKER that Items 6 and 7 would include discussion regarding staffing.

6. Report by Kevin McOsker, Director of the Department of Building & Safety, regarding an overview of the Enterprise Fund Budget for Fiscal Year 2023

Minutes:

MEMBER McOSKER reported that projected revenues in FY23 were \$17.6 million, proposed labor expenses were \$10.3 million, and proposed total expenses were \$17.2 million. He noted that the increased labor cost would include annual raises, and 25 percent of the Director of Community Development's salary and benefits would be covered by the Enterprise Fund budget. He explained the new leadership structure would include MR. CUNNINGHAM as the new Building Official, two managers, and there would be a new Building and Safety Manager to provide technical and supervisory support to MR. CUNNINGHAM. MEMBER McOSKER advised that one Residential Plans Examiner and two Combination Plans Examiners were approved through the budgeting process, and they would be hiring for those positions. He stated that they budgeted \$250,000 for outsourcing professional inspection services due to recruitment challenges. City staff members would be the primary source for inspection services in order to provide consistency to the construction industry.

MEMBER MOSS clarified with MEMBER McOSKER that the \$250,000 line item to outsource professional inspection services was to cover the two inspector positions that were not approved through the budgeting process. MEMBER McOSKER opined that the construction industry was cyclical in nature, and he wanted to ensure that there were not any inspection delays for their trade partners. MEMBER MOSS confirmed with JOSANNA ESPEJO, Senior Management Analyst, that the department moved out of the previous City Hall building in November 2020. MS. ESPEJO advised that they have been at the new City Hall building for a full fiscal year, and they did not anticipate any changes to the maintenance and facility budget.

MEMBER TATUM expressed appreciation that staffing was addressed for the new Community Development Department merger. He clarified with MEMBER McOSKER that staffing projections were based on statistical trends of services performed in the past, including the number of inspections and plan reviews, and the types of permits issued. MEMBER McOSKER believed 25 inspections completed per person per day was appropriate to ensure quality service, explaining that inspections were tracked daily with the leadership team. He opined that there may be more rollovers to ensure quality inspections. He stated that the inspectors consistently complete 30 or more inspections per day, and Tract Inspectors may complete 10 to 15 inspections at one location. MEMBER McOSKER explained that construction magnitude was also considered, noting staffing concerns at the initial Committee meetings were due to large projects with high construction valuation.

CHAIR POTTER asked how the outsource inspectors would be solicited and if they had been used in the past. MEMBER McOSKER did not believe that the City had ever outsourced inspection services. He advised that Clark County considered using them as a service level during his 24-year tenure, and that they currently had a contract for outsourcing inspectors. He explained there were firms that provide third-party Building Department municipal services, advising that some locations were entirely comprised of a third-party outsource firm. He noted the RFP (Request for Proposals) process would be used to evaluate and rank proposals, and he anticipated that local firms would be interested.

7. Report by Kevin McOsker, Director of the Department of Building & Safety, regarding an update on staffing and recruitment challenges, initiatives and alternatives for difficulty in hiring and retaining qualified employees

Minutes:

MICHAEL CUNNINGHAM, Deputy Building and Safety Director, reported that they were struggling to fill advertised staff positions, citing the need to get the younger generation interested in the construction industry. He noted that one Residential Plans Examiner position was approved in the budget. He advised that they were

unable to find qualified applicants for the Combination Plans Examiner position, and they were looking at reclassifying it as an entry-level Residential Plans Examiner. MR. CUNNINGHAM stated that they have an entry-level Engineering Associate that is being trained to become a Structural Plans Examiner, and the Residential Plans Examiner would follow the same path to become a Combination Plans Examiner. He explained that most of their positions were posted for two weeks, noting their inspector positions were being posted for four weeks. The City of Henderson eased the initial certification requirements for their inspector positions, and MR. CUNNINGHAM reported that they made a similar change last year to be competitive locally. Further, third-party agencies were performing targeted advertising to assist in recruiting inspectors. Regarding retaining qualified employees, he noted they have an engagement team to keep employees happy and engaged. He cited employees that came back to the department after being promoted to other positions, and he felt that meant they liked working for the department.

MEMBER TATUM expressed appreciation for lowering the entry-level requirements, noting labor force shortages that he was experiencing with his business. He confirmed with MR. CUNNINGHAM that positions were posted on LinkedIn, the City's website, and SNICC's (Southern Nevada International Code Council) website. They work with the HR (Human Resources) Department and their recruiter to target specific areas within and outside of the city. The Member asked what metrics were used to create the search protocol. MR. CUNNINGHAM said they work with HR to find similar sized jurisdictions that have comparable construction practices as the City, explaining that HR also compares similar looking positions for targeted advertising. MEMBER TATUM asked if they were able to offer incentives beyond the starting salary, such as relocation expenses. MR. CUNNINGHAM stated that they did not have a bonus pool budgeted to offer incentives, opining that he could talk with HR to discuss a specially funded program. He explained that the job description for Combination Plans Examiner was revised three years ago to have a salary range table built into it, allowing licensed engineers to begin at a certain range and progress through the salary cap quicker. He opined that this helped with recruitment. MEMBER McOSKER believed they may be limited by their collective bargaining agreement, and he agreed that they could discuss incentives with HR for the more difficult positions. MEMBER TATUM did not believe money was everyone's highest priority, advising that his business advertises creative offerings to applicants. He confirmed with MR. CUNNINGHAM that they did not historically provide more than the salary and job description when posting positions. MR. CUNNINGHAM said he attended a class on recruitment challenges at the APWA (American Public Works Association) Spring Conference, noting the presenter recommended advertising the company and not just the job description. He advised that the City has an Organizational Health Department that focuses on psychological safety, and they offer an annual Values Conference with speakers that discuss soft skills. They also have a SEAL (Sponsored Employee Advanced Leadership) program that provides leadership training for internal promotions. MR. CUNNINGHAM believed these could be used to market the City. MEMBER McOSKER believed the City's communication team advertises the City well on social media platforms, citing posts on First Friday, the Life is Beautiful Music Festival, and other unique offerings. He opined that the younger generation would look beyond the job description and salary to learn about the City.

MEMBER MOSS confirmed with MR. CUNNINGHAM that applications are only seen by the department if the applicant meets the minimum qualifications. The Member asked if HR could reach out to those applicants to provide information on acquiring any needed certifications, and MR. CUNNINGHAM said he would need to check with HR. He advised that he is the President of SNICC, reporting that they provide scholarships and workforce development for the construction industry. He stated that they were trying to establish a student chapter at UNLV (University of Nevada, Las Vegas), as well as work with technical high schools and middle schools involved in the STEM (Science, Technology, Engineering, and Mathematics) Academy. He believed there were organizations in the Valley that encourage people to stay involved and help the industry as a whole. MEMBER MOSS opined that there could be animosity if a new employee started at the same salary as an established employee, and she asked that the Committee be provided any response from HR regarding their recommendations. She expressed appreciation to the City for being the best place to do business and for being a leader in transparency.

MEMBER McOSKER reported that this would be his last Committee meeting, since he would be retiring on September 8, 2022, and he would be working for the International Code Council shortly thereafter. He felt confident the department would continue to be involved with various trade industries, and MR. CUNNINGHAM would represent the City's core values as the new Building Official.

CHAIR POTTER recognized MR. CUNNINGHAM, SETH FLOYD, Community Development Director, JOSANNA ESPEJO, Senior Management Analyst, BENITA CROOK, Management Analyst I, DEPUTY CITY ATTORNEY JAMES LEWIS, and BRIAN CARROLL, Deputy City Clerk, for their work for the Committee.

8. Report by Robert Nolan, Senior Deputy Fire Chief and Fire Marshal, regarding an update on residential fire sprinkler inspections

Minutes:

SENIOR DEPUTY FIRE CHIEF AND FIRE MARSHAL ROBERT NOLAN utilized the Las Vegas Fire and Rescue Inspections - Engineering Statistics Report, which was submitted for the record, to report that 100 percent of residential fire sprinkler inspections were completed on their requested date. He advised that sprinklers were not a separate submittal for single-family dwelling tracts, and those were also completed 100 percent on time in the last quarter. He noted that all OTC (Over-the-Counter) and Express Reviews were completed within three days as required. CHIEF NOLAN expressed appreciation to MEMBER McOSKER for his contributions and partnership in bringing safely built mid-rise and workforce housing to the city of Las Vegas. Further, he expected to bring mid-rise housing to the city of Henderson and Clark County in the future.

MEMBER MOSS reported that she spoke with staff regarding changes in practices and education needed for residential inspections. She asked for an update on the reports needed for Las Vegas Fire and Rescue to perform onsite inspections, expressing concern regarding failed and partially passed inspections. CHIEF NOLAN advised that they have regular meetings with sub-specialty contractors to ensure that QA (quality assurance) is completed before calling Las Vegas Fire and Rescue to perform QA. He said the contractors were understaffed, and he believed that contractors coming from California were not economically incentivized to perform QA. He did not want to charge for re-inspections, noting that a developer forum was planned to provide educational courses by the next calendar year. Further, he hoped to bring new codes in the next calendar year.

MEMBERS MOSS and TATUM expressed appreciation to CHIEF NOLAN and staff for their great reputation and for promoting within.

9. Discussion regarding scheduling the next Building & Safety Enterprise Fund Advisory Committee meeting

Minutes:

MEMBER McOSKER suggested they next meet about halfway through the fiscal year in mid-January or early-February. He proposed that the following meeting be at the end of the budget year in late-July or early-August. Further, he noted that intermittent meetings could be scheduled as necessary. MEMBER TATUM said there were many changes this year that required specifically scheduled meetings, and he asked that they move to a predictable schedule so he could coordinate travel. SETH FLOYD, Community Development Director, reported that the Planning Department manages several boards, stating that the Historic Preservation Commission adopts their annual schedule at their January meeting. He suggested that the Committee do the same and hold special meetings as needed. He opined that having the two required meetings in January and August made sense. JOSANNA ESPEJO, Senior Management Analyst, advised that they would have the finalized report on the first half of the year in February, and the finalized report on the end of the year in October. Further, the end of year report in August would be subject to an audit. MEMBER MOSS believed there would be too large of a gap between February and October, noting that October was generally a tough month for availability. She opined that the unaudited numbers never differed greatly from the audited numbers, and she felt comfortable seeing the unaudited numbers. She cited one instance of a \$600,000 variance, for which an individual report was provided to the Committee by staff. CHAIR POTTER believed that the first or second week in February and the last week in August would be appropriate. MS. ESPEJO confirmed with DEPUTY CITY ATTORNEY JAMES LEWIS that there could be no vote since the item was not agendaized as an action item. MR. LEWIS opined that the direction provided to staff was sufficient. MEMBER McOSKER advised that they would be unable to schedule a specific time due to the Council Chambers being a multi-purpose room. Further, they would use the Committee's direction to schedule the meetings in advance.

10. **Citizens Participation:** Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Committee. No subject may be acted upon by the Committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come forward and give your name for the record.

The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:  
None.

11. **Adjournment**

Minutes:  
The meeting was adjourned at 11:06 a.m.

Respectfully submitted:

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Brian Carroll, Deputy City Clerk

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Kevin McOsker, Director of Building & Safety

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS  
IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN NRS 241.020:

The City of Las Vegas website – [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

The Nevada Public Notice website – [notice.nv.gov](http://notice.nv.gov)

City Hall, 495 South Main Street, 1st Floor