



# COMMUNITY RESOURCES AGENCY

BEV SHANE, AICP  
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid Waste

July 28, 2015

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SEP 08 2015

Superior Court of California  
County of Tuolumne

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The Honorable Donald Segerstrom  
Tuolumne County Superior Court  
60 North Washington Street  
Sonora, CA 95370

RE: Response to 2014-2015 Grand Jury Report – Building and Safety Division

Dear Judge Segerstrom:

The Grand Jury reviewed the Building and Safety Division of the Tuolumne County Community Resources Agency (CRA) in fiscal year 2014-2015. Chief Building Official Doug Oliver and Community Resources Director Bev Shane have provided the following responses to the findings and recommendations made by the Grand Jury:

### Grand Jury Findings

- F2. The Grand Jury finds in Chapter 3.40 of the Tuolumne County Ordinance Code, *Fees (Section W, pages 18-20)*, a disparity in price valuations for the fee scheduling in contrast to what Building and Safety currently provides in similar valuations.

**Response: We agree with this finding. The fees in the County Ordinance Code reflect the amounts that existed at the time they were adopted by ordinance by the Board of Supervisors. Pursuant to Section 3.40.020(A) of the County Ordinance Code, "Unless prohibited by statute, the fees established in Section 3.40.010 shall be increased or decreased on the subsequent July 1st by the same percentage increase or decrease granted to county employees represented by recognized employee organizations during the prior fiscal year." Implementation of this provision results in annual adjustments to the fees. The fee schedule provided by the Building and Safety Division reflects the current fee amounts based on this annual adjustment thereby creating the disparity with the original fee amounts in the Ordinance Code.**

- F6. According to Permit Technician's job descriptions, the Grand Jury finds that they are to assist staff during State-mandated audits which reportedly have not occurred.

**Response: We agree with this finding.**

- F7. The Grand Jury finds that the Information Technologists are trying to keep everything "up to date" and it is "progressing," but, software upgrades are needed to make the Batch Permitting system more beneficial to both Building and Safety and permit owners.

**Response: We agree with this finding.**

- F9. The Grand Jury finds that applicants must telephone Building and Safety to learn of the daily inspection schedule, which wastes valuable time for both staff and the applicant.

**Response: We agree with this finding.**

- F10. The Grand Jury finds that some customers have exhibited aggressive behavior and created a safety hazard by actually violating the workspace of Building and Safety employees due to the lack of physical protection at the DIC.

**Response: We agree with part of this finding in that some customers have exhibited aggressive behavior. However, the Building and Safety Division has a policy that provides for management staff to intervene in these situations and that has prevented any incidents where an aggressive customer could violate an employee workspace. These situations are rare but a customer has in the past walked behind the counter to hand documents to a Permit Technician.**

### **Grand Jury Recommendations**

- R2. The Grand Jury recommends that the Board of Supervisors and CRA shall adopt a policy and procedure prior to end of year 2015 showing that the County Code reflects current and same fees valuations when the Fee Schedule for Building and Safety is made public.

**Response: This recommendation has not been implemented. As noted in the response to F1, the fees in the County Ordinance Code reflect the amounts that existed at the time they were adopted by ordinance by the Board of Supervisors and the fees in the Building and Safety Division's fee schedule reflect the amounts as they currently exist due to the annual adjustment that is made in accordance with Section 3.40.020(A) of the County Ordinance Code. The recommendation to change the County Ordinance Code to reflect the current fee amounts would require adopting an ordinance each year that updates all of the hundreds of fees listed in Section 3.40.010 of the Ordinance Code. This would create a burden on many County departments, the County Administrator's Office, and County Counsel to implement a procedure that is not legally required.**

- R6. The Grand Jury recommends the Community Resources Agency Director or designee delete this verbage and any other job description requirements that are not performed by end of year 2015.

**Response: This recommendation has not been implemented. While a State-mandated audit has not occurred, there are numerous state agencies, such as the Office of the State Fire Marshall, the California Energy Commission, and the Department of Housing and Community Development, that have the authority to audit certain functions for compliance with State laws and regulations. In the event that the Building and Safety Division is subject to an audit, the most qualified employees to research Building and Safety Division records are the Permit Technicians. That being said, the County of Tuolumne has hired a consultant to review and update class specifications/job descriptions for all positions. This recommendation will be considered as part of the process of updating the class specifications for the Permit Technician position.**

- R7. The Grand Jury Recommends Community Resources Agency maintain efficiency with software integration, within budget restraints, as the technology advances.

**Response: This recommendation is being implemented on an ongoing basis. The Community Resources Agency is currently implementing the eTrakit software module to improve efficiency and customer service for all of its development-related divisions. This software will allow online permit applications and inspection tracking. It is expected to be active by the end of August 2015.**

- R8. The Grand Jury recommends an online detailed step-by-step permitting and "Batch" permitting application process in a "Frequent Questions" section during the next County website update cycle and/or prior to the end of year 2015.

**Response: This recommendation has not been implemented. Once eTrakit is active, the "batch permit" program will end. All permits currently in the "batch permit" program will be obtainable on-line through the County website. The application process is a very intuitive step-by-step process from which all customers can benefit. This differs from the batch permit process, which only allows licensed contractors to participate. In order to educate the current users of the "batch permit" program on the enhanced features of eTrakit, the Building and Safety Division will provide training and will post information about eTrakit on the County's website.**

- R9. The Grand Jury recommends that prior to E-trakit implementation, scheduled for July 2015, Building and Safety e-mail the inspection schedule to all applicants and/or create a link on the County website to update permit owners – listing them by reference number, not by name.

**Response: This recommendation has not been implemented. The eTrakit program will allow permit holders to view all inspection data via the County website. As discussed in the response to R7, eTrakit is approximately one (1) month from being implemented. As such, there is no need to establish the interim process recommended by the Grand Jury.**

- R10. The Grand Jury recommends that by the end of year 2015, an upgrade to the physical security of the DIC: including a locking door/gate mechanism at the counter's two access portals for employees to secure their workplace area and completely separate their side from the public side of "The Counter."

**Response: This recommendation has been partially implemented. The Building and Safety Division is dedicated to maintaining a casual, friendly atmosphere at the DIC. The presence of excessive security measures could create an untrusting environment for employees and customers. In order to retain a positive atmosphere at the DIC while implementing security measures, the two access portals from "The Counter" to the Permit Technicians' desks, have been provided with three (3) foot tall double hinged doors creating a visual barrier to discourage entrance. Due to the volume of employee traffic in these areas, these doors are not locked. However, the presence of the doors has proven to be an adequate deterrent for entry into the employees' workspace. On the rare instance where a customer is displaying aggressive behavior, current policies for manager intervention continue to be adequate to diffuse hostility.**

***The safety of our employees is paramount, so we have crafted a safety measure to protect them which also avoids damaging the relationship we have with our customers. The short doors that have been installed provide a visual deterrent which has eliminated the occasional occurrence of customers walking into the employees' area to use the phone or hand off paperwork, which historically have been the only violations of employee workspace areas. The other security measures we have in place for angry customers are less visible and involve several levels of management intervention to diffuse anger in the customer. These security measures are effective and do not detract from the environment we wish to provide to the public as well as the employees of the Community Resources Agency.***

Thank you for providing the opportunity to respond to the above findings and recommendations. Please do not hesitate to contact us if you have any questions regarding our responses.

Respectfully,



Bev Shane, AICP  
Community Resources Director



Doug Oliver,  
Chief Building Official

BJS:do

cc: Tuolumne County Board of Supervisors  
Craig Pedro, County Administrator  
Sarah Carrillo, County Counsel