



CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033
425.587-3225 - www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Paul Stewart, AICP, Acting Planning Director
Robin Jenkinson, City Attorney

Date: August 18, 2015

Subject: Ordinance Consolidating Planning and Building Functions and Department Name Changes

RECOMMENDATION:

That the Council approves the attached ordinance consolidating the City planning and zoning functions with the building functions of plan review, permit coordination and construction in a newly organized department to be named "Planning and Building Department" and making other name changes in the Kirkland Municipal Code.

BACKGROUND DISCUSSION:

In February 2015, an evaluation of the possible benefits of reorganizing the development services function was undertaken at the City Manager's request. The evaluation was timely because of the vacancy which had occurred in the Development Services Manager position, the upcoming remodel of City Hall with related changes in the delivery of development services, and the 2012 Development Services Organization Review conducted by Zucker Systems, Inc. The analysis and outcome of the recent evaluation are described in the attached March 19, 2015, memorandum prepared by Deputy City Manager Tracey Dunlap.

The merger of the Planning and Building divisions took effect on May 15th. As a result of the merger it was determined that it might be appropriate to consider re-naming the department (Planning and Community Development) to reflect the change in the consolidation of planning and building functions. Suggested names were solicited from staff. Out of those submitted, senior management selected two titles for all staff to vote on. The "Planning and Building Department" was the top choice among those that voted.

The reorganization has been seamless for customers. Until the City Hall remodel takes place, the divisions remain physically separated with different counters and different phone lines. With the remodel, those functions will be integrated into the new centralized permit center. Coordination is underway to improve the customer service experience with all Development Services functions. Development review staff in the new Department (and Public Works) continue to have strong working relationships and close coordination. Administrative functions,

including budget and human resource management, have been combined and management staff of the divisions meet regularly to coordinate department issues.

The proposed ordinance provides for the Council's concurrence in the move of the Building Division from the Fire and Building Department into the Planning and Community Development Department and the naming of the reorganized department as "Planning and Building Department." As set forth in the ordinance, the remaining fire protection and response, life safety inspections, fire investigations and emergency management functions remain in a separate department to be named the "Fire Department." (This includes the Fire Prevention Division of the former Fire and Building Department.)

The ordinance authorizes the City's code reviser, which is currently the Code Publishing Company ("Code Publishing"), to make the name changes described above and others identified in the ordinance. Code Publishing has explained that it would go through each section of the Kirkland Municipal Code and Zoning Code that uses the terms identified in the ordinance, substitute the appropriate new term, and add the legislative history to the affected sections. Code Publishing points out that this method provides the clearest explanation as to why the terms have changed.

Attachments

- Memo from Deputy City Manager Tracey Dunlap
- Ordinance



CITY OF KIRKLAND

Department of Finance & Administration

123 Fifth Avenue, Kirkland, WA 98033 425.587.3100

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Deputy City Manager

Date: March 19, 2015

Subject: Evaluation of Potential Reorganization of Development Services

RECOMMENDATION:

Move the Building Services function out of Fire & Building and into Planning and Community Development, with a focus on providing a more seamless customer experience.

BACKGROUND DISCUSSION:

Introduction

In February 2015, you requested an evaluation of whether the vacancy in the PCD Development Services Manager position, due to the retirement of Nancy Cox, might provide an opportunity to reorganize the development services functions. The evaluation is also timely in the context of the upcoming City Hall remodel and related changes in how the development services customer interface will function. The basis for this evaluation begins with the 2012 Development Services Organization Review conducted by Zucker Systems Inc. (Zucker). The report found that the City's operation has many strengths that can be considered national best practices and Kirkland is more progressive in these areas than many of Zucker's clients. One of the issues discussed in the report was whether the current structure, with the City's development services functions spanning three departments – Public Works (PW), Planning and Community Development (PCD), and Fire and Building (F&B) – should be changed.

The report noted that there are many ways to organize these functions, highlighted as follows:

- Combining Fire and Building functions is clearly not the norm;
- Combining Building and Planning functions is an increasingly common approach;
- Combining Current and Long Range Planning is common, although some combine Current Planning and Building into a development-oriented department with Long Range Planning as a separate department.
- Engineering is often a division within a larger Public Works Department, although a relatively new trend has development engineering either merged into a Development Department or at a minimum collocated with the other functions.
- Transportation Planning and Traffic Engineering are normally located within a Public Works or Engineering Department.
- Code Enforcement is generally located either within Planning or Building.

- Some communities have combined all of these functions into one integrated department, although often the operational aspects of Public Works are in a separate department.

The report identified the following key features for all alternatives:

- Collocation of functions to improve integration and better serve customers (currently in same general area of City Hall);
- All functions operate in a common permitting system (currently Energov at Kirkland);
- Integrated processing systems, with agreement upon timelines and performance standards across all functions;
- Use of clear project manager systems where it is clear to both staff and the applicant who is in charge of the application;
- Clarity and consistency in working well together and being customer friendly;
- Overall coordination of activities.

Recommendation 2 of the report is that the City should pursue a staged approach to reorganizing the permitting and planning functions as follows:

- Combine the Building, Engineering, and Planning counters as part of the City Hall remodel (currently underway);
- Create a separate Building Department should a Regional Fire Authority become a reality;
- Revise performance standards and monitoring systems;
- Continue to use the Development Review Committee II and strengthen its role as needed;
- Should these features prove not as successful as desired, have the three functions be coordinated by an Assistant City Manager;
- **Should any of the key top management positions have a turnover, revisit the possibility of a combined department at that time.**

The timing of this review reflects this final recommendation and the on-going work on combined customer service counters as part of the LEAN team's evaluation and the City Hall remodel.

Analysis

In addition to reviewing the recommendations of the Zucker report, my analysis is based on meetings with PCD Director Eric Shields, Building Official Tom Phillips, Public Works Development Engineering Manager Rob Jammerman and brief discussions with Public Works Director Kathy Brown and Fire & Building Director Kevin Nalder. I also took into account my understanding of the LEAN team customer service recommendations and the current efforts to design the combined front counters.

Based on this information, I offer the following observations, roughly organized along the lines of the Zucker observations and recommendation summarized above.

- Combine the Building, Engineering, and Planning counters as part of the City Hall remodel – The design of the combined counters is underway and the discussions of how this physical change will impact the development services operations highlights the similarities and differences of the approach of each department. The results of this redesign effort may be more effectively implemented with more centralized management. The current collaboration of the three separate functions works well, but at times results in similar things being done in three different ways. The combination of Building and PCD would streamline the decision-making in this process and is consistent with the practices of many cities.

Public Works Engineering warrants further discussion. As noted in the study, it is fairly common for the Public Works development functions to be managed within Public Works. In speaking with the Public Works Director, a key focus of her efforts are to improve coordination within the Public Works Department (Engineering, CIP, and Operations). Since the PW Development function makes decisions that impact all of the other PW functions, removing that function now might be counterproductive to the internal Public Works effort. In addition, the Public Works Development Engineering Manager manages non-development functions (Solid Waste/Surface Water Engineering) and needs to be viewed in that context. As a result, the recommendation is to exclude PW from the re-organization at this time, but to revisit the question when the opportunity arises in the future.

The Fire Prevention Division of F&B also provides development-related services, in addition to non-development activities. The recommendation is to keep Fire Prevention with the Fire Department, recognizing that the Division's activities are aligned with providing fire services and most of the employees in the Division are represented by the IAFF. There should still be a strong connection with the other development services functions and related coordination efforts should continue.

- Create a separate Building Department should a Regional Fire Authority (RFA) become a reality – The discussion of an RFA is one of several options being considered as part of the implementation of the Fire Strategic Plan and Standard of Cover Study. The scope of the recommendations of these studies and evaluation of alternatives will require significant focus by the F&B management in the near and long term. Moving the Building Function into PCD would allow F&B management to focus solely on the needs of the Fire Department.
- Revise performance standards and monitoring systems – Combining functions should provide a more consistent and cohesive process to implementing this recommendation.
- Continue to use the Development Review Committee II (DRC II) and strengthen its role as needed – As part of this evaluation, there was significant discussion of whether the vacant position should be restructured to oversee both Current Planning and Building, allowing it to focus on them as "development services". A downside of that option, particularly with the exclusion of PW from the reorganization, was that it would complicate that functioning of the DRC II. One of the highlights of the Zucker report was how well the three development services managers coordinate through DRC II and an interest of all parties was to continue to use this mechanism to make sure that all of the functions are in sync. In discussion with the PCD Director, he has indicated that he should have the capacity and very much has the interest to engage both the Current Planning and Building functions to create a more seamless development services experience. As a result, I am recommending that the PCD Development Services Manager be refilled and that the Building Official and that position report directly to the PCD Director.

An important caveat to that recommendation is that, if the position is filled internally by one of the current supervisors, the vacated supervisory position be posted externally with preferred qualifications for an individual that has worked in a combined Planning and Building function. This approach would provide fresh eyes to evaluate opportunities for streamlining operations and processes.

- Should these features prove not as successful as desired, have the three functions be coordinated by an Assistant City Manager – Although not directly related to this evaluation, the recent creation of the second Deputy City Manager (DCM) position and implementation of "spheres of coordination" in which one of the DCM will coordinate

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day-to-day issues with PCD may bring some of the benefits of this recommendation closer to reality with Planning and Building combined.

- Should any of the key top management positions have a turnover, revisit the possibility of a combined department at that time – This appears to be an advantageous time to combine the Building function into Planning and Community Development. While Public Works Development Engineering is recommended to stay in Public Works, should there be turnover or a reorganization within Public Works, this option should be revisited.

Recommendation

To summarize my recommendations:

- Move the Building Division from Fire and Building into Planning and Community Development.
- Fill the vacant PCD Development Services Manager position (which PCD expects to do with an internal recruitment).
- If filling that position creates a supervisor vacancy, post that position externally with preferred qualifications for an individual that has worked in a combined Planning and Building function.
- Leave PW Development Engineering in Public Works, but revisit the potential of including it in development services should there be turnover or a reorganization in Public Works.

The proposed reorganization should promote the key features identified in the Zucker study by providing greater consistency in timelines, performance standards, project management, and customer interaction.

While there are still many details to be worked out, PCD and Building are already having discussions on how the combined functions will operate as part of the change in how customer service will be provided after the City Hall remodel. Implementing the organization change as soon as possible should help with the planning efforts related to the City Hall renovation and related counter design and space allocations.

Attached is a revised version of the Development Services organization chart reflecting these recommendations.

Please let me know if you have questions or need more information.

ORDINANCE O-4491

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO DEPARTMENTAL ORGANIZATION; CHANGING THE NAME OF THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT TO THE PLANNING AND BUILDING DEPARTMENT; CHANGING THE NAME OF THE FIRE AND BUILDING DEPARTMENT TO THE FIRE DEPARTMENT; AMENDING KIRKLAND MUNICIPAL CODE SECTIONS 3.20.040, 15.16.047, 21.74.010, 21.74.025 AND 21.74.030 TO REFLECT NAME CHANGES; UPDATING OTHER OBSOLETE REFERENCES; AND AUTHORIZING THE CITY'S CODE REVISER TO MAKE CHANGES OVER TIME TO ALL REFERENCES IN THE KIRKLAND MUNICIPAL CODE AND KIRKLAND ZONING CODE NECESSARY TO REFLECT THESE NAME CHANGES.

1 WHEREAS, under Kirkland Municipal Code 3.16.010, the City
2 Manager is authorized to organize and change the organization of the
3 administrative departments of the City, subject to the concurrence of
4 the City Council; and
5

6 WHEREAS, the City Manager has determined that the interests
7 of the residents of the City and the efficient operation of the City will be
8 best served by consolidating the planning and zoning functions with the
9 building functions of plan review, permit coordination and construction
10 inspection services; and
11

12 WHEREAS, the City Manager has further determined that fire
13 protection and response, emergency medical response, technical rescue
14 response, life safety inspections, fire investigations, and emergency
15 management functions should remain in a separate fire department;
16 and
17

18 WHEREAS, there are other obsolete references in the Kirkland
19 Municipal Code and Kirkland Zoning Code which should be changed at
20 this time.
21

22 NOW, THEREFORE, the City Council of the City of Kirkland do
23 ordain as follows:
24

25 Section 1. The planning and zoning functions currently
26 performed by the Planning and Community Development Department
27 are consolidated with the building functions of plan review, permit
28 coordination and construction services in a newly organized department
29 to be named the "Planning and Building Department."
30

31 Section 2. The fire protection and response, emergency medical
32 response, technical rescue response, life safety inspections, fire
33 investigations and emergency management functions will remain in a
34 separate department to be named the "Fire Department."

35 Section 3. As of the effective date of this ordinance, all
 36 references to "Department of Planning and Community Development,"
 37 "Planning and Community Development," "Planning Department,"
 38 "Director of Planning and Community Development," "Planning Official,"
 39 "Building Department," and "Building Division of Fire and Building" are
 40 deemed to be references to the "Planning and Building Department."

41
 42 Section 4. As of the effective date of this ordinance, except as
 43 set forth in Sections 5, 6, 7, and 9 of this ordinance, all references to
 44 "Fire Department," "Fire and Building Department," "Department of Fire
 45 and Building Services," "Director of Fire and Building Department,"
 46 "Director of Fire and Building Services," and "Fire Chief" are deemed to
 47 be references to the "Fire Department."

48
 49 Section 5. Section 3.20.040 of the Kirkland Municipal Code is
 50 amended as follows:

51
 52 **3.20.040 Director.**

53 The division of emergency management shall be headed by the director
 54 of emergency services. The city manager shall appoint the ~~director of~~
 55 ~~fire and building services~~ fire chief as the director of emergency services.
 56 The director of emergency services shall be directly responsible to the
 57 city manager for the organization, administration, and operation of the
 58 emergency management division.

59
 60 Section 6. Section 15.16.047 of the Kirkland Municipal is
 61 amended as follows:

62
 63 **15.16.047 Enforcement**

64 (a) Each police officer of the city and the director or any employee
 65 of the city public works department, fire department, and planning
 66 and building department shall have the authority to enforce the
 67 provision of this chapter.

68 (b) In addition to penalties otherwise provided, the director of public
 69 works is authorized to install a water restricting device on the waterline
 70 or lines serving any person who commits a second or subsequent
 71 violation of any of the provisions of this chapter. Alternatively, after
 72 such notice of a violation as may reasonably be given based on the
 73 circumstances, the director of public works may cause water service to
 74 be terminated for subsequent or continuing violation of water
 75 conservation restrictions.

76
 77 Section 7. Section 21.74.010 of the Kirkland Municipal Code is
 78 amended as follows:

79
 80 **21.74.010 Scope of chapter.**

81 This chapter establishes fees collected by the fire department and the
 82 planning and building department, for development services. For the
 83 purpose of this chapter, the term "the director" means the fire chief or
 84 the fire chief's authorized representative for development services
 85 provided by the fire prevention office of the fire department and the
 86 planning and building department director or the director's authorized
 87 representative for other development services. The term "building

88 official" means the building official or the building official's authorized
89 representative.

90
91 Section 8. Section 21.74.025 of the Kirkland Municipal Code is
92 amended as follows:

93
94 **21.74.025 General provisions for all permits, approvals and**
95 **development services fees.**

96 (a) Fee Calculation. The fees for applications for development
97 services established or referenced in the ordinance codified in this
98 chapter will be calculated using the fee schedule in effect at the time
99 the review, inspection, or service is performed and/or due. Each
100 application stands alone and is considered individually for the purpose
101 of calculating fees.

102 (b) City Projects. The fire department and planning and building
103 department will collect all appropriate fees for utility-funded, capital
104 investment program, and special purpose fund projects except as
105 authorized by the director.

106 (c) Refunds. Any fee established in this chapter which was
107 erroneously paid or collected will be refunded if requested. Table 1 is
108 used to calculate refunds for applications or issued permits or approvals
109 which are withdrawn, canceled, or expired. All refunds must be
110 requested within one hundred eighty days of payment.

111
112 Section 9. Section 21.74.030(a) of the Kirkland Municipal Code
113 is amended as follows:

114
115 **21.74.030 General provisions for construction and permit fees.**

116 (a) Scope. These general provisions apply to all permits issued by
117 the fire department and planning and building department.

118
119 Section 10. As of the effective date of this ordinance, all obsolete
120 references to "Department of Finance," "Administration and Finance,"
121 "Department of Administration and Finance," "Department of
122 Administrative Services," "Director of Finance," "Director of
123 Administration and Finance," and "Director of Administrative Services"
124 are deemed to be references to the "Finance and Administration
125 Department."

126
127 Section 11. As of the effective date of this Ordinance, all
128 obsolete references to "King County Bureau of Records and Elections"
129 or "King County Department of Records and Elections" are deemed to
130 be references to the "King County Recorder's Office."

131
132 Section 12. The City's code reviser is authorized to amend the
133 Kirkland Municipal Code and Kirkland Zoning Code, as appropriate, in
134 order to carry out the name changes authorized by this Ordinance.

135
136 Section 13. This ordinance shall be in force and effect five days
137 from and after its passage by the Kirkland City Council and publication
138 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary
139 form attached to the original of this ordinance and by this reference
140 approved by the City Council.

141
142
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145

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2015.

Signed in authentication thereof this _____ day of _____, 2015.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4491

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO DEPARTMENTAL ORGANIZATION; CHANGING THE NAME OF THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT TO THE PLANNING AND BUILDING DEPARTMENT; CHANGING THE NAME OF THE FIRE AND BUILDING DEPARTMENT TO THE FIRE DEPARTMENT; AMENDING KIRKLAND MUNICIPAL CODE SECTIONS 3.20.040, 15.16.047, 21.74.010, 21.74.025 AND 21.74.030 TO REFLECT NAME CHANGES; UPDATING OTHER OBSOLETE REFERENCES; AND AUTHORIZING THE CITY'S CODE REVISER TO MAKE CHANGES OVER TIME TO ALL REFERENCES IN THE KIRKLAND MUNICIPAL CODE AND KIRKLAND ZONING CODE NECESSARY TO REFLECT THESE NAME CHANGES.

SECTION 1. Consolidates the planning and zoning functions currently performed by the Planning and Community Development Department with the building functions of plan review, permit coordination and construction services in a newly organized department to be named the "Planning and Building Department."

SECTION 2. Separates the fire protection and response, emergency medical response, technical rescue response, life safety inspections, fire investigations and emergency management functions in a department to be named the "Fire Department."

SECTION 3. Provides all references to "Department of Planning and Community Development," "Planning and Community Development," "Planning Department," "Director of Planning and Community Development," "Planning Official," "Building Department," and "Building Division of Fire and Building" are deemed to be references to the "Planning and Building Department."

SECTION 4. Except as set forth in Sections 5, 6, 7, and 9 of the ordinance, provides all references to "Fire Department," "Fire and Building Department," "Department of Fire and Building Services," "Director of Fire and Building Department," "Director of Fire and Building Services," and "Fire Chief" are deemed to be references to the "Fire Department."

SECTION 5. Amends Section 3.20.040 of the Kirkland Municipal Code by changing the position appointed as director of emergency services from "director of fire and building services" to "fire chief."

SECTION 6. Amends Section 15.16.047 of the Kirkland Municipal Code to change authority to enforce the general rules and conditions of water service from "fire and building department" to "fire department" and "planning and building department."

SECTION 7. Amends Section 21.74.010 of the Kirkland Municipal Code to change scope of chapter on establishing fees from "fire and building department" to "fire department" and "planning and building department."

SECTION 8. Amends Section 21.74.025 of the Kirkland Municipal Code related to general provisions for all permits, approvals and development services fees from fees collected by the "fire and building department" to "fire department" and "planning and building department."

SECTION 9. Amends Subsection 21.74.030(a) of the Kirkland Municipal Code related to general provisions for construction and permit fees to change reference from "fire and building department" to "fire department" and "planning and building department."

SECTION 10. Changes obsolete references related to "Department of Finance," "Administration and Finance," "Department of Administration and Finance," "Department of Administrative Services," "Director of Finance," "Director of Administration and Finance," and "Director of Administrative Services" to be references to the "Finance and Administration Department."

SECTION 11. Changes obsolete references to "King County Bureau of Records and Elections" or "King County Department of Records and Elections" to "King County Recorder's Office."

SECTION 12. Authorizes the Code Reviser to amend the Kirkland Municipal Code and the Kirkland Zoning Code, as appropriate, in order to carry out the name changes authorized by ordinance.

SECTION 13. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2015.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

City Clerk