

TO: Personnel Board

FROM: Harper Donahue, Human Resources Analyst

DATE: August 14, 2013

SUBJECT: Zoning Administrator

Building Inspection Division Director, George Hank, has requested a study of the Zoning Administrator position, in CG18, Range 12, currently occupied by Mr. Matthew Tucker. This position is located in the Building Inspection Unit of the Department of Planning & Community & Economic Development (DPCED). Mr. Tucker has been in this classification since he came to the City in June of 2005. However, since that time, the level of responsibility associated with this position has grown considerably to include greater involvement in creating and adjusting City ordinances as they relate to zoning and sign code regulations, as well as other areas of responsibility outlined in this memo. After meeting with Mr. Hank, and the incumbent, a thorough review of the position description (attached), a review of several comparable positions, and the City of Madison Personnel Rules, I recommend that the Zoning Administrator position be moved to CG18/R14, and the incumbent be reallocated to the new range for reasons outlined in this memo.

Work of the Zoning Administrator is currently being described as:

...responsible for the program direction, supervision, administration, interpretation, implementation, improvement and enforcement of the City's zoning and sign ordinances, MGO 28 and 33, as the Manager of the Zoning section of the Building Inspection Division in the Department of Planning & Community & Economic Development. The work involves managing the interpretation, application and enforcement of local and State ordinances and codes pertaining to planning, zoning and signs. Work involves policy interpretation, specialized and technical knowledge, and is responsible for decisions of significant impact. Work requires a high degree of on-going collaboration with other City agencies. Work involves liaison responsibilities to appropriate ad-hoc and permanent City Boards/Committees/Commissions and establishing and maintaining open communication with the development community."

Specific responsibility may include

- *Administer and participate in the City's zoning and street graphics approval process and programs. Oversee and participate in the dissemination of zoning information. Receive and respond to Zoning/Street Graphic Ordinance questions. Perform related research and convey interpretations both orally and in writing. Prepare and present informational/instructional presentations for professional groups, schools, etc. Meet with clients/developers to discuss options and limitations of complying with the Zoning Ordinance while attempting to meet their objectives. Schedule and meet with developers, alderpersons regarding their plans. Attend pre-application meetings with clients.*
- *Oversee and participate in the review and resolution of complex development problems. Review requests for conditional uses, re-zonings, and appeals; and take appropriate action. Review conditional use applications and prepare analysis for the Plan Commission. Oversee field checks of all conditional uses by subordinate Zoning staff and report to the Zoning Board of Appeals. Receive and respond to all appeals for Zoning Board of Appeals. Function as City's technical representative for appeals and other court actions regarding zoning matters. Review and issue certificates of occupancy. Attend various meetings representing program interests. Participate as a member of the Zoning Text Amendment Staff Team.*
- *Establish and keep record of uniform code interpretations and efficient approval and review systems. Participate in and lead process development teams along with the Planning Unit and other agencies involved in the development approval process. Maintain continuous code review. Assist in drafting new legislation.*

- *Supervise document management for the Zoning Section. Implement and maintain document management in conjunction with the Planning Unit.*
- *Train, assign, supervise, and evaluate subordinate Zoning Code Officers. Provide clarification and guidance on the more complex elements of the work. Perform and/or direct field inspection, plan review, and administrative activities. Develop and maintain related records and reports, participate in the development of program enhancements and initiatives.*

Specific duties that triggered the request for this position study include:

- *Serving as the primary point of contact for customers, including alders, developers, neighborhood association leadership, citizens, other city staff, media and other interested parties regarding developments, both existing and proposed, as they relate to the City's zoning code.*
- *Leading the review of all proposed related ordinance changes and providing recommendations and professional advice to City staff, boards, commissions and alderpersons, and other interested parties regarding proposed changes.*
- *Daily interpretation and implementation of the City's codes relative to development projects.*
- *Serving as the primary staff support to the Madison Zoning Board of Appeals.*
- *Leading enforcement activities relative to land use plan approvals for the Department of Planning and Community and Economic Development, Traffic Engineering Division, City Engineering Division and Madison Fire Department.*
- *Leading the review of fee structures and revenues relative to the zoning and sign code, to ensure appropriate fees are being collected relative to requests for service and review.*

In reviewing the level of work being performed by the incumbent, I find that it is appropriate to place the Zoning Administrator classification in CG18, Range 14. As previously noted, the Zoning Administrator is responsible for providing, *"responsible program direction and supervisory work as the Administrator of the Zoning Section of the Building Inspection."* At the request of George Hank and the incumbent, I evaluated several DPCED positions, currently placed in CG18 at Range 15, for comparison purposes (Plan Review and Inspection Supervisor, and the Manager of the Office of Business Resources). While there are similarities, I found that a few positions, outside of DPCED, in CG 18 at Range 14 (Water Supply Manger and Water Quality Manager) are more comparable in regards to the level of work being performed, the FTE number of staff, and the level of staff being supervised. Each evaluated position will be discussed in turn.

Manager – Office of Business Resources (CG18/R15)

This position is classified as a Principal Planner but the work is described as:

"... responsible supervisory and administrative position directing the work of the City's Office of Business Resources (OBR) within the Department of Planning & Development. The Office proved businesses, entrepreneurs, site selectors, brokers and developers, business organizations and others the information and support needed to locate, expand or start businesses in the City (this includes coaching, problem-solving and leading). This work is characterized by responsibility of for supervising the activities and functions of the City's economic development implementation efforts."

Like the work of the incumbent, the work of the Manager of the Office of Business Resources involves a considerable amount of time supporting both internal and external stakeholders regarding business related initiatives as they pertain to development. Also, like the work of the incumbent, this position is responsible for providing direct supervision to a section within a division unit of the Department of Planning & Community & Economic Development. However, when comparing these two positions, differences in the working levels of supervised staff should be noted as the OBR Manager supervises both professional, Business Development Specialist (CG18/R12) and Economic Development Specialist (CG18/R12), and represented staff, Economic Development Technician (CG20/R16), Street Vendor Coordinator (CG16/R13)

and a Street Monitor (CG16/R09). The work of the OBR Manager also appears to have a slightly higher impact to City operations as the OBR Manager is responsible for researching and developing policy and program initiatives to assist the Department Director, Mayor and Common Council in achieving City economic goals and objectives.

Plan Review and Inspection Supervisor (CG18/R15)

The Plan Review and Inspection Supervisor class spec identifies

“...responsible professional engineering, program direction and supervisory work as the head of the Plan Review and Inspection Section of the Inspection Unit in the Department of Planning and Development. The work involves managing the enforcement of all State and Federal Codes relating to building construction in the City of Madison. The areas of responsibility include the review of architects' and engineers' design products prior to and during construction; the technical review of any proposed variances to the State Building Code; the inspection of all building, plumbing, heating and electrical construction; and the supervision of the plan review and permitting activities of the City. This position is responsible for ensuring that enforcement and related services are provided in a coordinated and systematic manner; developing, implementing and overseeing operational systems, procedures and quality standards; prioritizing services; coordinating the training of subordinates and contractors; overseeing the process of developing and submitting legislative changes; and handling the most difficult and sensitive complaints and contacts. The work is performed under the general supervision of the Inspection Unit Director.”

The Plan Review and Inspection Supervisor position has strong similarities to the Zoning Administrator position as they are both responsible for managing sections located within the Building Inspection Unit. Like the work of the incumbent, this work involves a considerable amount of time working with developers and managing the enforcement of State and Federal Codes as they relate to local building construction. While the Plan Review and Inspection Supervisor has a strong focus on the enforcement of building codes, the Zoning Administrator plays a role in creating and adjusting City ordinances to comply with State and Federal codes, and guide local development. While neither of these positions has supervisory responsibilities over professional staff, the Plan Review & Inspection Supervisor provides supervision to a significantly higher number of FTEs, as the Zoning Administrator provides direct supervision to six employees compared to the 14 employees currently being supervised by the Plan Review & Inspection Supervisor.

While there are similarities among the Zoning Administrator, the OBR Manager and the Plan Review & Inspection Supervisor positions, I found the work of the Water Supply Manager and Water Quality Manager to be more comparable in regards to classification placement purposes.

The work of the Zoning Administrator, as detailed in the attached position description, is very comparable to the work of the Water Quality Manager (CG18/R14), which identifies:

“...responsible managerial and professional work in directing the functions, activities and staff of the Water Utility's Water Quality section. The work involves providing oversight for Water Utility compliance with state and national drinking water quality standards, testing, and reporting; developing programs and master plans to address and mitigate existing and potential water quality issues; responding to and maintaining records of customer complaints and reports about water quality problems; overseeing water quality sampling and testing and recommending effective response to emerging Utility requirements; developing and presenting public information and education programs and responding to media inquiries about water quality; and preparation for a potential public health response using the incident command system. Work is characterized by independent judgment and initiative. The position serves on the Water Utility management team, participates in formulation and implementation of Department policy and priorities, and provides regular reports to the Water Utility Board. Work is performed under the general supervision of the Water Utility General Manager.”

The work of the Zoning Administrator, as detailed in the attached position description, is also comparable to the work of the Water Supply Manager (CG18/R14), which identifies:

“...responsible managerial, administrative, and professional work in directing the functions and activities of the Water Utility's Supply Section. The work involves supervising all phases of the water supply section including, but not limited to the operation, maintenance, inspection and 24-hour monitoring of system performance. Work is characterized by a high degree of judgment, discretion and initiative in planning for, coordinating, and implementing assigned programmatic responsibilities. This position serves as a part of the Water Utility's Management Team, participates in the formulation of Division policy and in the identification and resolution of management issues. Work is performed under the general supervision of the Water Utility General Manager.”

Also, when comparing these three positions (Zoning Administrator, Water Supply Manager and Water Quality Manager) it should be noted that there are similarities in the both volume and levels of staff receiving direct supervision. The Zoning Administrator is responsible for 6 employees, a Zoning Administrator Assistant (CG16/R19), 2 Zoning Code Officer 2s (CG16/R16), and 3 Zoning Code Officer 1s (CG16/R13); The Water Supply Manager is responsible for 11 employees, 2 Electric Maintenance Technicians (CG16/R17), 5 Waterworks Operator 2s (CG16/R15), and 4 Waterworks Operator 1s (CG16/R12); and finally, the Water Quality Manager is responsible for 3 Cross Connection Control Inspectors (CG16/R15), a Water Quality Aide (CG16/R09), and an Administrative Clerk (CG16/R09).

The work Mr. Tucker performs with Building Inspection clearly falls within a level above CG 18/Range 12. It is apparent that Mr. Tucker is performing more advanced-level work in providing leadership to the Building Inspection Unit, other City agencies, and external stakeholders. According to Mr. Tucker's position description (attached), 65% of his time is spent performing duties directly related to being the City's primary contact for alders, developers, neighborhood leadership, other City staff, media and other interested parties regarding developments, both existing and proposed, as they relate to the City's zoning and sign code. An additional 15% of his time is spent supporting City Boards, Committees, and commissions in issues related to the City's Zoning and Sign code. Upon careful review of the duties and responsibilities associated with the Zoning Administrator position, I find that the Zoning Administrator position is most comparable to the Water Quality Manager and the Water Supply Manager, both located in Comp Group 18 at Range 14. As such, I recommend that Mr. Tucker's position be recreated in CG18/R14 and that he be reallocated to the new position.

The necessary Ordinance and Resolution has been prepared to implement these recommendations.

Editor's Note:

Compensation Group/Range	2013 Annual Minimum (Step 1)	2013 Annual Maximum (Step 5)	2013 Annual Maximum +12% longevity
18/12	\$65,213	\$78,730	\$88,166
18/14	\$71,694	\$86,309	\$96,668

cc: George Hank – Building Inspection Division Director
Matthew Tucker – Zoning Administrator
Mike Lipski – HR Services Manager