

REPORT NO: 06-99
DATE: July 25, 2006
ANALYST: Betty J. Stanifer

CLASSIFICATION REPORT

PROPOSED TITLE: Deputy Director, Operations Support (#3625 Appointed)

CURRENT TITLE: Deputy Director, License and Consumer Services (#3625 Appointed)

INCUMBENT: Clara Schmit-Gonzalez

REASON FOR REQUEST: Evaluation to ensure proper placement in the hierarchy due to changes in duties and responsibilities; and to change the title to one reflective of current duties and responsibilities.

DATE QUESTIONNAIRE SUBMITTED: 7-12-06

DATE OF PREVIOUS STUDY: 8-04-00

DISPOSITION OF PREVIOUS STUDY: Reclassified the position from Assistant Director, License and Consumer Services (Appointed), Grade 12 (578 Total Points) to Deputy Director, License and Consumer Services (Business Services), Grade 13 (593 Total Points) Appointed.

PERSONS INTERVIEWED: Rocco Forte'; Assistant City Coordinator Regulatory Services and Emergency Preparedness
Clara Schmit-Gonzalez; Deputy Director, License and Consumer Services (Appointed)

RECOMMENDATION: Establish the Deputy Director, Operations Support (Appointed) at Grade 13 with 595 Total Points using Position Number 3625 (Deputy Director, Licenses and Consumer Services – Business Services)

In the move to reorganize the Regulatory Services Department, the Assistant City Coordinator Regulatory Services and Emergency Preparedness completely changed the duties and responsibilities of the position under evaluation when he took control of the department over two years ago. The Classification Unit now has the documentation to review the position for appropriate placement in the Appointed Service. The current duties and responsibilities of the position include, but are not limited to the following.

- Responsible for budget development, preparation and ongoing cost recovery and fee analysis.
 - Review and analyze historic revenue, permit and license numbers and the current trends in economy.
 - Review fees and determine if costs are covered and propose new fees, increased fees or changes in how service is provided to cut costs.
 - Ensure consistency in budget reports between BRASS and Finance CRS System and HRIS for FTE counts.
- Responsible for monitoring the budget and providing information for spending decisions and projections.
 - Project current service level revenue for current year and next year for all sections of the department.
 - Track and monitor operating budget, expense and revenue and meet with Finance staff monthly.
 - Confirm dollar availability for purchases beyond routine annual expenses.
 - Meet with the Assistant City Coordinator to update on expense and revenue budget status, discuss pending budget issues and make recommendations on requests and needs.
- Responsible for all internal and external purchases and payment of bills and ensuring compliance with City Procurement policies.
 - Draft and administer standard contracts for services.
 - Review language for contracts over \$50,000 for City Attorney approval.
 - Track contract compliance and payments.
- Responsible for Budget Presentation.
 - Prepare charts and tables to best convey information and prepare revenue and expense estimates for any new initiatives proposed along with documentation.
 - Act as liaison between department divisions and Finance on budget issues.
 - Provide 5 Year Plan projections of expenses and revenues by section and confirm 5 Year Plan numbers.
- Ensure that the Mandated State Fee report is compiled accurately and filed in a timely manner.
- Make recommendations for fee increases or process modifications when appropriate.
- Oversee and coordinate the design, implementation and supervision of all records in Regulatory Services and ensure that appropriate records retention schedules are on file and in compliance with all local ordinances, state laws and human resources policies. Provide public data upon request.
- Manage Regulatory Services cell phones making sure billings are correct; monitoring cell phone usage and ensuring that calls are business related; handling repair issues and signal reception concerns.
- Manage the Administrative Adjudication Program: setting standards for the process; developing forms; providing training and written procedures and brochures to help the public understand the process and their rights; ensuring that cases are complete (documentation of violation, correct citations, evidence packet is prepared).
- Handle all complaints files by people who feel that they have not been treated fairly by the system

investigating circumstances to determine if the situation presents exceptional circumstances that need to be taken into account or whether there were procedural or factual errors. Consult with attorneys and director on any determination changes or fine amendments based on the investigation.

- Manage the Appeals process establishing procedures in accordance with City Ordinances, State law and good legal practices.
 - Schedule hearings within timeframes required.
 - Arrange taping and maintain full records of the hearing.
 - Provide legal notification of the hearing and the decision thereafter to all parties.
 - Maintain legal record of proceedings.
 - Provide copy of legal record for any Appeal to the State Court of Appeals.
 - Maintain record of Appeals Court decisions on City cases.
 - Provide reports to Council and top management regarding number of appeals and their resolution.
- Function as Technology Coordinator for the department in coordinating needs and services with BIS for over \$2.8 million in special projects and over \$1 million in operating budgets.
 - Conduct monthly technology meetings and represent the department in on-going project meetings.
 - Ensure coordination with the 311 project in terms of service requests and response as well as providing feedback to ensure that reports accurately reflect activities and responses.
 - Facilitation communication with BIS property team and upper management in regard to all projects, financial projections, and the five year work plan.
 - Act as an HR Investigator as requested for City Respect in the Workplace complaints interviewing witnesses, analyzing testimony, reviewing records and documenting conclusions.

POSITION ANALYSIS

The duties and responsibilities of the position have changed totally since the last evaluation in 2004; all of the factors are being reviewed to ascertain the need for adjustments and the title will be changed to one more reflective of the duties performed.

PRE-REQUISITE KNOWLEDGE

Candidates applying for the position must have a Bachelor's Degree in a related field with course emphasis in areas of government, public administration, business law, public finance and technology management along with seven years of experience in business regulation or code enforcement, which has included budgeting and technology project involvement. Candidates must have a valid Drivers License with a good driving record and must be able to pass a criminal background check.

Successful performance requires considerable knowledge of the principles and practices of regulatory processes, appeals and administration; of departmental and City policies and practices; of City Ordinances specific to the area assigned; the Uniform Commercial Code, State Liquor laws, related statutes and rules; of the City's financial practices and policies; of administrative law procedures and processes; and of activity based costing and budgeting. Candidates would also need considerable

knowledge of the principles of office management and administration; knowledge of City and State business licensing and building permit ordinances; and knowledge of Human Resources policies and procedures; and knowledge of labor contracts.

The incumbent hired will need the ability to communicate effectively working with other City departments and diverse populations; the ability to make presentations; the ability to interpret and explain ordinance and statute requirements clearly and in non-technical terms as well technical terms; the ability to lead, manage and supervise; the ability to manage, coordinate and implement programs, etc.

While this position would need considerable knowledge of multiple areas, the level applied here would not be as high as that of the Directors Inspection Services or Operations, Licensing and Environmental Services. As the position is currently functioning, the pre-requisites required for entry into the position are similar in most part to those of the Deputy Director, License and Consumer Services and other Deputy Directors in the department. The incumbent hired knowledge base would be broader because the responsibilities are department-wide. A rating equivalent to what is assigned the Deputy Director, Housing Inspection Services or the Deputy Director, Minneapolis One Stop would be warranted. A rating of 70 is being assigned.

DECISIONS AND ACTIONS

The incumbent will independently give revenue and expense projects based on historical analysis regarding future business activity and financial trends; review administrative determinations based on appeals with merit alleging process or citation errors, oversights, etc. and recommend amendment of determination where justified; approve BIS project plans and changes; estimate year end dollars available for additional spending; and approve department purchases and bill payment. Problems handled most frequently would involve ordinance interpretations that apply to special circumstances surrounding an administrative appeal; Budget issues or concerns; internal staff disputes and problems; special procurement problems; 311 reporting problems; and technology resources.

Decisions and actions taken that must be approved/reviewed by the Assistant City Coordinator would include requests for City Council actions requiring Committee approval that have serious budgetary and/or operational implications; ordinance changes; employee disciplinary actions involving suspensions or recommendations for discharge; suggested additional cost recovery strategies; and recommended technology projects and strategies.

Commonly used resources in making decisions or taking action would include State Statutes and City Ordinances; administrative process and law precedents; enforcement records, research resources, experience, etc. The level of independence would be comparable to all of the other Deputy Directors in Regulatory Services, who are given similar freedom in managing their assigned areas. All decisions and actions of the Deputy Director positions in the department have a financial impact in some way and there is the potential for controversy. In this particular position, a wrong decision or action could have serious budgetary and/or operational implications and could damage the City's image. A rating of 65 on this factor would be justified.

SUPERVISORY RESPONSIBILITY

Under the current organization the incumbent in the position will have supervisory responsibility over the Manager, Operations Support; the Coordinator, Legal Processes; a Records Management Specialist; a Program Assistant; and an Administrative Analyst I. The current incumbent is claiming shared responsibility for five other FTE's; eleven Step Up Interns and seventeen College Interns. The position will be given credit for the five positions that it has supervisory responsibility for in accordance with PELRA. A rating of 10 is being applied on this factor.

RELATIONSHIPS RESPONSIBILITY

Internal contacts experienced by the position within the department range from daily to several times weekly and involve billing issues, documentation, contracts, questions, etc. with staff; business planning, presentations, funding, contracts, etc. with the Coordinator Administrative Services; and budget, purchases, technology issues, fees, etc. with Regulatory Services Deputy Directors, the Supervisor, Environmental Health; and the Building Official.

Contacts with persons in other City departments range from weekly to monthly and involve accounting issues, reports, technology, litigation, interpretations, performance management, compensation, permit fees, administrative hearings, SAC issues, permit fees, records management issues, etc. with Finance staff, Assistant City Attorneys, Public Works staff, Police Department staff, CPED, the City Clerk's office and HR.

External contacts are on a monthly basis with Hennepin County Property Tax staff on special assessments and tax forfeited properties; with MET Council for SAC regulations and changes; with Hearing Officers on hearing processes or issues; and with Attorneys on hearing processes or issues, appeals and records. There are weekly contacts with Respondents in administrative proceedings on hearing processes or issues, appeals and payment of fines.

Whether internal or external, daily or monthly the contacts are important to the success of the position and the mission of the department. Although the incumbent working in a politically sensitive atmosphere, the potential for controversy is not as great as Deputy Director positions that lead areas that have the potential of causing financial impacts on citizens in violation of City Ordinances daily. The rating on this factor would be comparable to that of the Deputy Director, License and Consumer Services in the department. A rating of 70 is being assigned on this factor.

WORKING CONDITIONS

The position working in a normal office setting with daily exposure to computers and may require overnight travel on occasional. The position is being assigned the same points that are historically assigned to executive level positions of this type. A rating of 20 is being applied.

EFFORT

The incumbent exerts considerable effort in responding to Regulatory management and staff in assisting with billing issues, documentation, contracts, questions, technology issues, purchases, appeals, interdivisional or interdepartmental coordination, budget and funding; much of which consist of deadlines or time constraints in an enforcement setting with political implications; which places considerable stress on the incumbent. The work often involves reading complex technical project documents, service agreements or leases requiring close concentration over long periods of time for clear understanding. The incumbent at times will have to deal with volatile situations in managing the final appeals short of going on to the State Court of Appeals on orders that are enforced by the department during the appeal process. This too, places considerable stress on the incumbent in the position. The level here is still comparable to the effort exerted by the Deputy Director, License and Consumer Services. A like rating of 65 is being assigned.

CONCLUSION

The position is being established using the Deputy Director, Licenses and Consumer Services (Business Services) and as structured meets the criteria for Appointed Positions as outlined in City Ordinance 20.1010 according to the Assistant City Coordinator, Regulatory Services and Emergency Preparedness.

1. The person occupying the position must report to the head of the designated City Department or the designated City Department Head's Deputy.

The position will report to the Assistant City Coordinator, Regulatory Services and Emergency Preparedness and function as a Deputy Director in Regulatory Services.

2. The person occupying the position must be part of the designated department head's management team.

The position will be an integral part of the department's top management team.

3. The duties of the position must involve significant discretion and substantial involvement in the development, interpretation or implementation of City of department policy.

The position will be involved in the development, interpretation and implementation of policies and procedures.

4. The duties of the position must not primarily require technical expertise where continuity in the position would be significant.

It does not.

5. There is a need for the person occupying the position to be accountable to, loyal to, and compatible with the Mayor, the City Council and the Department Head.

Yes, the Incumbent hired must be accountable to, loyal to, and compatible with the Mayor, City Council and the Department Head.

RECOMMENDATION

Establish the Deputy Director, Operations Support (Appointed) at Grade 13 with 595 Total Points using Position Number 3625 (Deputy Director, License and Consumer Services – Business Services).