



## **MEETING MINUTES NOVEMBER 18, 2004**

### **SELF INTRODUCTION**

### **MINUTES OF THE OCTOBER 21, 2004 MEETING WERE VOTED ON AND APPROVED**

### **TREASURER'S REPORT**

Gerald Caraig gave the Treasurer's Report.

Checking account balance:     \$2,914.24

Savings account balance:     \$5,698.70

### **CITY CORNER**

- Donald Lamm, Deputy City Manager, Director of Community Development for the City of Costa Mesa, presented the city corner for the City of Costa Mesa. In the new construction area, valuations have tripled in the last three years, inspection activity is somewhat the same, but the number of inquiries has skyrocketed.

The Planning Division is taking in more projects than what we have seen in the last 2 or 3 years. Current requests from developers are changing out approved plans of office towers into high end condominium towers. There are a large number of applications for small retail center, industrial buildings being proposed to be converted into residential use, small lots single family, attached condo projects, and live-work projects.

Southcoast Plaza is the highest gross retail center in the world. The retail sales went from \$900 million two years ago to \$1.2 billion this year. That equates to \$12 million dollars to the City. The Plaza change-out is 20 to 25 spaces per year.

### **UNFINISHED BUSINESS**

- Roy Fewell reported that the adhoc committee on the "powerline overhead pool clearances" issue has not reached a consensus yet. The proposed resolution is being worked on and the committee will need to meet further to discuss before bringing a recommendation back to membership.

### **NEW BUSINESS**

- None.

### **COMMUNICATIONS**

- Faisal Jurdi provided an ICC membership package to the membership and encouraged everyone to become a member of ICC. Highlighted benefits:
  - Free technical support.
  - Free code – latest edition.
  - Access to “member only” area of the web site.
  - Free bi-monthly ICC Building Safety magazine.
  - All ICC members may vote on preliminary hearings actions. Governmental members get multiple votes (based on population) for all Final Action code change proposals.
  - Special discounts on code books, publications, seminars, and other products and services.
  - Member recognition & Networking.
- Faisal Jurdi is again encouraging the membership to file applications to participate in various Chapter committees.
- Faisal Jurdi asked everyone who will be attending the December meeting to RSVP Sue Olson at (949) 724-6452 and to pay at the door. An email on the meeting was sent last Friday.
- Faisal Jurdi indicated that he will send out the latest version of the by-laws in December to the membership for review. The version that was sent out earlier is not the latest version and should be discarded.
- Jim Martin announced availability of raffle tickets as a fund raiser for the 2006 CALBO ABM. The cost for each ticket is \$50. The winner will have a choice of a 2005 mini cooper, a 2005 Harley Davidson motorbike, or \$25,000 cash.
- Soroosh Rahbari thanked everyone who either called to express sympathy or attended the funeral for the Building Inspector who passed away recently in Westminster.

### **COMMITTEE REPORT**

- Education Committee was reported by Soroosh Rahbari. There may be a couple of opportunities for training in the upcoming months but nothing to report yet.
- Faisal Jurdi is working with a Geologist to put together a package to standardize a Soils report requirement for the Chapter to adopt and use.
- Nominating Committee was reported by Raimar Schuller. The Committee will recommend the following members for the 2005 board/committee at the December meeting for approval:
  - Past President – Faisal Jurdi (Newport Beach)
  - President – Scott Fazekas (SFA)
  - Vice President – Khanh Nguyen (Tustin)
  - Secretary – Gerald Caraig (Huntington Beach)
  - Treasurer – Joe Kirkpatrick (Irvine)
  - Code Development Committee chair – Roy Fewell (La Habra)

### **ORGANIZATION REPORTS**

- ICC was reported by John Nosse. The ICC ABM in Salt Lake City last month was a success. Out of 7 board seats that were open for new appointment or reappointment, 5 of those seats were filled by Western representatives. Reappointments are Adolf Zubia (Las Cruces, New Mexico), Ronald Lynn (Clark County, Nevada), John LaTorra (Redwood City, CA), John Darnall (Tumwater, Washington), Gerald George (Boulder County, Colorado), and Dorothy Harris (Albany, New York). New appointment Kevin Scott (Bakersfield, CA). The 2005 ABM is scheduled for Detroit in late September. Mark Johnson of the Whittier office was recently promoted to Senior Vice-President for Business and Product Development. Distribution of publication has been centralized in Kansas.

ICC is currently working on the 2005 Budget. As a new national organization, the budget will be between 55-60 million dollars.

The ICC Central Distribution Center for publications and products is now operational in Lenexa, Kansas, which will improve delivery time and service to the membership. Jay Elbettar expressed some concerns regarding the lack of customer service when trying to order code books.

- CALBO was reported by Jay Elbettar. The 2005 ABM in Yosemite is coming up in February. It is strongly recommended that all attendees RSVP as soon as possible due to room availability. There maybe some ruling from the PEX court case in Los Angeles supporting the BSC ruling but is yet to be confirmed. CALBO sent a letter dated October 19, 2004 to the governor opposing the California Performance Review recommendation to eliminate the Board of Professional Engineer and Land Surveyor and merge its function with a larger State agency. **See attachment A.**

Jay reiterated CALBO's commitment to push for the adoption of the I-codes. Jim Martin asked whether CALBO has discussed or considered recommending a replacement for two seats on the BSC when term expire in January. Also, will CALBO form an ad-hoc committee to review the California Performance Review report and provide comments to the governor? Jay responded in the negative to both questions. Soroosh Rahbari asked whether the State agencies review of the NFPA 5000 is still on hold. Jay stated that it is still on hold.

### **GOOD OF THE ORDER**

- None.

### **PROGRAMS**

John Nosse gave an update on the status of ICC evaluation reports and applicability of the evaluation reports. He explained the formation of ICC-ES from the three legacy ES organizations and the NES. He also explained how the transition of evaluation reports from these four organizations was progressing. In this transition, many report holders are still retaining references to legacy codes with practically all UBC product recognitions being continued. New report applicants are being reminded that many jurisdictions are still referencing legacy codes including all of California.

He mentioned that all legacy reports are recognized by ICC-ES and clarified the following with reference to the 1997 UBC:

1. Nearly all former ICBO ES reports have either been reapproved without change or have retained a UBC reference if converted to an ICC-ES report. The latter also requires compliance with the IBC.
2. Any legacy NES report that was first issued prior to October 1999 has a very good chance of complying with the 1997 UBC unless new products were added after that date. Legacy NES reports issued after the March 2003 consolidation comply with the 1997 UBC since those reports were reevaluated by the Whittier staff for compliance with the UBC.
3. Legacy reports issued by the other two legacy ES organizations do not refer to the UBC.
4. ESR reports (ICC-ES reports issued after consolidation) should be checked for referencing to the UBC.
5. An opinion was expressed by Nosse that products qualified under the International Code, in all probability, would qualify under the UBC in that they utilize the same or more recent editions of consensus standards or with acceptance criteria for innovative construction that were created through the same procedures as were followed by ICBO-ES. The basis under which these qualified products are used or installed under different codes is where the conflicts and problems arise.
6. Acceptance criteria are not and will not be recognized as standards by ICC-ES. They are considered the technical product justification necessary under a code to recognize innovative products in ICC-ES evaluation reports. This recognition is considered technical information available to the code official in determining whether a product can be approved for use in his jurisdiction.

Respectfully Submitted,

Khanh Nguyen  
Secretary

**ATTACHMENT A**



ADMINISTRATIVE OFFICE  
CONNERLY & ASSOCIATES, INC  
2215 21st Street  
Sacramento, CA 95818  
(916) 457-1103  
fax (916) 456-7672  
www.calbo.org

October 19, 2004

**PRESIDENT**  
BRAD REMP, C.B.O.  
Building Official  
City of Chula Vista

**FIRST VICE PRESIDENT**  
WILLIAM R. SCHOCK, C.B.O.  
Chief Building Official  
City of San Leandro

**SECOND VICE PRESIDENT**  
SHEILA LEE, PE.  
Building Official  
City of Santa Clara

**PAST PRESIDENT**  
DARYL WILLEY, P.E.  
Chief Building Official  
City of Modesto

**DIRECTORS**  
NICK J. ANDERSON, C.B.O.  
Deputy Director  
Dept. of Building & Safety  
City of Riverside

THOMAS L. TRIMBERGER, PE., C.B.O.  
Building Official  
City of Rancho Cordova

DON SPIVA, C.B.O.  
Chief Building Official  
City of Merced

JAY ELBETTAR, PE., C.B.O.  
Director, Building Department  
City of Newport Beach

GENE PAOLINI, C.B.O.  
Building Official  
City of Roseville

The Honorable Arnold Schwarzenegger  
Governor, State of California  
State Capitol  
Sacramento, California 95814

Dear Governor Schwarzenegger:

California Building Officials (CALBO), collectively represents local city and county building officials from throughout California. CALBO's members are primarily responsible for enforcing building code requirements in an estimated 95% of the buildings constructed in California, as such, we have a great deal of interaction with the California Board for Professional Engineers and Land Surveyors (CBPELS).

With the recent introduction of the California Performance Review, your administration has proposed for the elimination of the CBPELS. Further, the duties of the CBPELS would then become the responsibility of a new consolidated state agency. The purpose of this letter is to share our thoughts with you as a stakeholder and industry partner of the CBPELS.

CALBO is very supportive of the CBPELS's mission to *safeguard the life, health, property and welfare of the public by regulating the practice of professional engineering and land surveying*. We have enjoyed working closely with the CBPELS in the past and look forward to continuing our industry work together with a similar goal of promoting and protecting public safety.

As you know, the CBPELS is tasked with licensing qualified individuals as professional engineers and land surveyors. In doing so, the CBPELS establishes regulations to promote professional conduct while enforcing the applicable codes and state laws.

The work of the CBPELS is vitally important alongside the many other boards and commissions governed by the Department of Consumer Affairs. As proposed, many of these boards would first

be eliminated, then a new state agency would be formed to fill the void of dissolved boards and commissions.

Each board and commission under the umbrella of the Department of Consumer Affairs has a finite specialty that warrants its own professional experts and attention. Disbanding boards, like the CBPELS, and replacing them with an even larger entity to navigate will not address the administrative shortcomings of any governmental function.

Although CALBO remains supportive of your administration's efforts to streamline efficiency and improve upon government performance in California, we are not convinced that the dissolution of the CBPELS into one larger state agency is the way to improve upon the vital services provided by the CBPELS.

CALBO continues to understand the growing need for engineering and survey services as provided by the CBPELS and the strain upon their resources, as granted by the state. Further, many of the other boards and commissions proposed for elimination have similar workloads and time constraints which will only intensify with fewer resources under one broad state department. With the need for the licensure and oversight of California's numerous professional engineers and land surveyors continuing to grow within our booming real estate and construction market, CALBO cannot support the elimination of the CBPELS as suggested by the California Performance Review.

Again, CALBO remains supportive of your administration's efforts to maximize governmental efficiency and we would welcome other improvement and performance suggestions for the CBPELS. Should we be able to provide comments or suggestions for future proposals, please do not hesitate to call upon our expertise.

Sincerely,



Brad Remp  
President

cc: CALBO Board of Directors