

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

REGIONAL BUILDING COMMISSION MINUTES

January 30, 2019

3:00 p.m.

MEMBERS PRESENT: Chairman Tyler Stevens, Green Mountain Falls Trustee
Mark Waller, El Paso County Commissioner
Tom Strand, Colorado Springs City Council

MEMBERS ABSENT:

OTHERS PRESENT: Roger Lovell, Regional Building Official
Virginia Koulchitzka, Regional Building Counsel
Jay Eenhuis, Deputy Building Official - Plans
John Welton, Deputy Building Official – Inspections
Ryan Johanson, Director of Finance
Matt Matzen, Front Counter Supervisor
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

1. CALL TO ORDER

Chairman Tyler Stevens called the meeting to order at 3:02 p.m.

2. ELECTION OF OFFICERS

A motion was made by Mark Waller to elect Tyler Stevens as the Chairman of the Building Commission, seconded by Tom Strand; the motion carried unanimously.

A motion was made by Mark Waller to elect Tom Strand at the Vice Chairman of the Building Commission, seconded by Tom Strand; the motion carried unanimously.

3. CONSIDERATION OF NOVEMBER 28, 2018 MINUTES

A motion was made by Tom Strand to **APPROVE** the November 28, 2018 Building Commission Minutes as written, seconded by Mark Waller; the motion carried unanimously.

4. PUBLIC COMMENTS ON ITEMS NOT SCHEDULED ON THE AGENDA

Public comments on items not scheduled on the agenda shall be limited to three (3) minutes.

Scott Weiser, Complete Colorado.com, appeared and commented about transparency during meetings and executive sessions.

5. NEW BUSINESS

- a) HBA Cares, Inc.'s Request under the Participation with External Organizations Resolution of Intent

Jina Koulchitzka stated in accordance with the terms of the Participation with External Organizations Resolution of Intent, after the Department's administrative staff determined that funds were available to fund the request by the applicant, HBA Cares, Inc., and that the criteria of the Resolution of Intent seemed to have been met, on January 23, 2019, the Advisory Board heard HBA Cares, Inc.'s request with the following recommendation to the Regional Building Commission: Approval of the \$250,000 participation to HBA Cares, Inc., contingent upon a written request from HBA Cares, Inc., for permission to transfer the funds to Careers in Construction, Inc. upon receipt of its 501(c)(3) exempt determination letter from the Internal Revenue Service. The motion carried 6:2. Robert Todd, City of Manitou Springs, and Jim Nakai, the architect representative on the Advisory Board, opposed the motion.

Tyler Stevens stated although he serves on the Board of HBA Cares, Inc., but given that he does not have any personal financial benefit from this transaction, he does not see a conflict of interest and intends to vote on the issue. Ms. Koulchitzka asked the public whether there were any comments or objections to the disclosed conflict of interest or objections to Chairman Stevens' intent to vote on this issue, and there were no comments or objections from the public. Tom Strand asked why two Advisory Board members opposed the motion, and Ms. Koulchitzka stated there was some discussion regarding the applicant, HBA Cares, Inc., in lieu of Careers in Construction, which was the purpose of adding the conditions to the motion of the Advisory Board, i.e. contingent upon a written request from HBA Cares, Inc., for permission to transfer the funds to Careers in Construction upon receipt of its 501(c)(3) exempt determination letter from the Internal Revenue Service. Further, Ms. Koulchitzka answered the Advisory Board meeting minutes represented a good summary of the discussion(s) had and reason(s) for opposition by the two members of the Advisory Board.

George Hess, Chairman of the Housing & Building Association of Colorado Springs (HBA) Workforce Development Committee, appeared and stated the HBA's Careers in Construction Colorado Program (CICC) operates under HBA Cares, Inc., which was a nonprofit 501(c)(3) entity. He stated HBA Cares, Inc. had all of the requested documentation required under the Resolution of Intent for Participation with External Organizations, with the exception of the Federal tax exempt determination letter for CICC.

Mr. Hess gave a brief overview of the HBA's home build program. He stated the program was in ten high schools with 500 students participating in the program, and 1,000 students have gone through the program. He stated the HBA, in partnership with the National Association of General Contractors, formed a 501(c)(3) called Careers in Construction Colorado. He stated the objective in forming this entity was to expand the home build program, and hold the home build program in one spot, and then to be able to move CICC into northern Colorado, in partnership with the National Association of General Contractors. He stated fiscal sustainability was the major goal for this program. Mr. Hess stated the money generated by the sale of these homes would go back into the program. He stated the acceptance of the program from the construction industry had been phenomenal.

Mr. Hess stated the applicant was requesting a participation from RBD in the amount of \$250,000 for the CICC program. He stated CICC would have its own 501(c)(3) status, which would make it easier for companies making donations to the program. He stated the management structure for this program was that CICC would be responsible for pulling all of the permits, arranging for all of the materials, coordinating the different trade partners and consultants, providing consulting, and managing the finances and the sale of the home, as well as the warranty of the home. Mr. Hess stated the school districts were responsible for getting a CT instructor, who would serve as the project supervisor. He stated CICC would coordinate and coach this instructor. He stated the schools would have to maintain liability insurance coverage for the classroom setting; and CICC would maintain liability and builders risk insurance coverage on the house. Mr. Hess stated CICC would be responsible for the sale, delivery and installation of the home on the user property.

Mr. Hess stated the applicant was HBA Cares, Inc. because they were waiting for the government to recover from the government shutdown to complete the 501(c)(3) for CICC. He stated the revenue received from the sale of the homes would go back into the CICC 501(c)(3) to support the schools to build future homes. He stated the funds would be managed by CICC, with oversight by the CICC Finance Committee.

Break from 3:32 to 3:38 p.m.

A motion was made by Tom Strand to **APPROVE** the \$250,000 participation to HBA Cares, Inc., contingent upon: a written request from HBA Cares, Inc., for permission to transfer the funds to Careers in Construction Colorado upon receipt of its 501(c)(3)

exempt determination letter from the Internal Revenue Service, seconded by Mark Waller; the motion carried unanimously. Tom Strand requested quarterly reports from Careers in Construction Colorado.

b) New Date for Monthly Building Commission Meetings

Mark Waller stated he had just become a board member for the Airport Advisory Council, which meets on the same date and time each month as the Regional Building Commission. Therefore, he would like to reschedule the Building Commission meetings; and RBD staff had recommended the fourth Thursday of each month at 2:00 p.m. The new date and time was approved Tyler Stevens and Tom Strand, as well as RBD staff. A motion was made by Tom Strand to **APPROVE** the new date and time for the Regional Building Commission meetings to the fourth Thursday of each month at 2:00 p.m., seconded by Mark Waller; the motion carried unanimously. Mr. Waller thanked the Committee and RBD staff for accommodating his request.

c) Sunshine Act Requirement

To be read on the record, except the text in bold which requires the person making the motion to state his/her name, and the same of the person who seconds the motion.

Pursuant to the Colorado Sunshine Act, I, Mark Waller, move that the Building Commission meeting be held on the fourth Thursday of each month at 2:00 p.m. at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs, Colorado 80910, Room 100-14, that the Building Commission Meeting Agendas and Minutes for each meeting be posted on the website of the Pikes Peak Regional Building Department at www.pprbd.org, and that the meeting Agendas and Minutes be maintained by the Executive Administrative Assistant in the records of the Pikes Peak Regional Building Department, seconded Tom Strand; the motion carried unanimously.

6. **ADVISORY BOARD REPORT**

Jina Koulchitzka presented the Advisory Board Report.

7. **BUILDING OFFICIAL REPORTS**

a) Financial Statement through December 31, 2018

Ryan Johanson presented the financial statement for the month of December 2018. He said the operating cash balance was \$12,678,706. He said the cash balance was 77% as a percent of budget. Mr. Johanson said the monthly revenue was \$912,010, and the year-to-date revenue was \$18,598,992. He said the expenditures were \$1,246,637, which resulted in a loss of \$334,627 for the month of December, and the year-to-date expenditures were \$14,997,941, which resulted in a year-to-date gain of \$3,601,061. Mr.

Johanson stated the Licensing Rewards Program had been very successful, and RBD gave discounts for license renewals in the amount of \$18,750 in December, and \$1,041,905 had been discounted year-to-date through the Permit Fee Discount and Licensing Reward Program. He stated RBD discounted the Code books by 75%, which saved the industry \$95,000 in the cost of the Code books. Jina Koulchitzka stated RBD implemented a new Code on December 1, 2019, so the discount implemented by RBD was to give contractors and homeowners an incentive to buy the Code books and study them.

b) Building Report through December 31, 2018

Matt Matzen presented the Building Report for the month of December 2018. He said there were 108 single-family houses permitted in December, which was 63.39 percent less than this time last year; and 17 commercial building permits. He stated there were 4,083 single-family homes permitted in 2018, which was an increase of 9.44 percent. Mr. Matzen said the total valuation of permits issued in December was \$115,959,915, which was 53.49 percent less than this same time last year; and the total valuation of permits issued in 2018 was \$3,515,393,919, which was an increase of 13.06 percent over this same time last year. Roger Lovell stated there were a number of builders that pulled permits in November in advance of the Code change deadline of December 1, 2018; therefore, single family housing remains strong in 2019. Mr. Matzen stated there had been 157 single family permits to date in January, walk-ins were averaging 95 per day, and an average of 388 phone calls per day. He stated there have been over 200 multi-family units permitted in January, which was very strong for 2019.

c) Plan Review Report through December 31, 2018

Jay Eenhuis presented the Plan Review Report for the month of December 2018. He said there were 192 single family plans, which was a 28 percent decrease from December 2017; 50 new commercial plans, which was an increase of 150 percent; and a total of 644 plans for the month of December, which was an increase of 7 percent compared to December 2017. Year to date, 10,535 plans were submitted, an increase of 23 percent from 2017. He stated there were 94 Commercial Plans submitted electronically in December 2018, or an 84 percent increase compared to December 2017; and 187 Residential Plans submitted electronically, which was an increase of 217 percent; for a total of 315 E-Plans in December 2018, a 24 percent increase from December 2017. Year to date, approximately 49 percent of all plans submitted had been submitted electronically. Mr. Eenhuis stated the Plan Review Department performed 1,860 Solo Reviews in December, and 2,128 Walk-through reviews, for a total of 3,988 logged reviews for December 2018, and 45,946 logged reviews year-to-date, which was an increase of 24 percent from the previous year. He stated Woodland Park and Monument were both considering adopting the electronic plan review process.

d) Inspection Report through December 31, 2018

John Welton presented the Inspection Report for the month of December 2018. He said the inspectors in all departments did a total of 21,999 inspections in December, with a total of 59 field inspectors. He said each inspector averaged 20.6 inspections per day, and the average available time per inspection was 17.2 minutes. Mr. Welton stated year-to-date, the inspectors in all departments did a total of 300,651 inspections, with a total of 63 inspectors. He stated for the year, the average was 19.3 site inspections per inspector, and the average time was 18.5 minutes per inspection. He stated elevator inspections were more time consuming, and elevators have to undergo continual maintenance inspections for the life of the elevator.

8. UNFINISHED BUSINESS

Mr. Lovell introduced Greg Dingrando, RBD's new Public Information Officer. Mr. Dingrando stated he recently did an interview for Channel 5 regarding the dangers of carbon monoxide. He stated he also sent out a press release recently regarding the remapping of the flood plain area in the Security Widefield area, which would save homeowners in that area approximately \$1 million.

9. FUTURE AGENDA ITEM REQUESTS

There were no Future Agenda Item Requests.

10. EXECUTIVE SESSION REQUESTS

Pursuant to C.R.S. 24-6-402(4)(a), (b) and (e)(I), Ms. Koulchitzka, attorney for Pikes Peak Regional Building Department was requesting an Executive Session with the Regional Building Commission regarding a conference with the attorney for Pikes Peak Regional Building Department for the purpose(s) of:

- i. discussing the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest;
- ii. receiving legal advice on specific legal questions, including, but not limited to, process and procedures surrounding the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; and
- iii. determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.

Ms. Koulchitzka stated the parties attending the Executive Session were herself, as attorney for RBD, Roger Lovell, Building Official for RBD, and John Welton, Deputy Building Official for RBD. She stated this was the detail that the matters could be addressed without

compromising the purpose for which the Executive Session was authorized and requested. She stated the real estate and/or personal property transactions as contemplated for purposes of discussion during the Executive Session may involve competitive bidding, and premature disclosure of information would give an unfair competitive or bargaining advantage to persons whose personal and/or private interests were adverse to general public interests.

A motion was made by Mark Waller to move into Executive Session at 4:23 p.m., seconded by Tom Strand; the motion carried unanimously.

Tom Strand left the meeting at 5:09 p.m., and a quorum was maintained.

A motion was made by Mark Waller to come out of Executive Session at 5:21 p.m., seconded by Tyler Stevens; the motion carried unanimously. Chairman Stevens noted that no decisions were made during the Executive Session, and direction was given to RBD staff.

10. ADJOURN

The meeting adjourned at 5:23 p.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official

RNL/llg

PPRBD meeting agendas and minutes, as well as archived records, are available free of charge on PPRBD's website at <https://www.pprbd.org/Information/Boards>. Audio copies of the record may be purchased by contacting PPRBD at (719) 327-2989.