

Meeting Date: January 13, 2015

Agenda Item

1

REQUESTED COMMISSION ACTION:

| | | | | |
|---|------------------------------------|-------------------------------------|---|---------------------------------------|
| <input checked="" type="checkbox"/> Consent | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution | <input type="checkbox"/> Consideration/ Discussion | <input type="checkbox"/> Presentation |
|---|------------------------------------|-------------------------------------|---|---------------------------------------|

Short Title: Approval of budget adjustment for Division 1550 Building Inspections, for the amount Of \$60,000.00 from the Budget Fund Balance Building Department

Summary of Purpose and Why:

Supplement funding is requested to provide certified staff a means to attend state and county seminars and training programs for re-certification, memberships and licenses renewals. Note authorization in chapter 104.17 – 104.17.6(2) Code Ordinances.

- (1) Origin of request for this action: Staff Initiated
- (2) Primary staff contact: Miguel Nunez/Robin M. Bird
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding:

Fund transfer of 60,000.00 from our Building Certification Maintenance Account #112-00-00-322-60-00 to the Travel, Education, Membership Account #112-15-40-515-40-10

| DEPARTMENTAL COORDINATION | DATE | DEPARTMENTAL RECOMMENDATION | DEPARTMENTAL HEAD SIGNATURE |
|---------------------------|----------|-----------------------------|-----------------------------|
| Finance Dept | 12-18-14 | Approval | |
| Dev. Ser. Director | 12-18-14 | Approval | |
| Bldg. Insp. Div. | 12-18-14 | Approval | |

City Manager

ACTION TAKEN BY COMMISSION:

| <u>Ordinance</u> | <u>Resolution</u> | <u>Consideration</u> |
|-------------------------|-------------------------|----------------------|
| <u>Workshop</u> | | |
| 1 st Reading | 1 st Reading | Results: Results: |
| 2 nd Reading | | |

MEMORANDUM

Development Services

ADMINISTRATIVE REPORT NO. 13- 33

DATE: December 18, 2014

TO: Robin M. Bird, Development Services Director

FROM: Miguel Nunez, Building Official 

RE: Request to transfer funds to supplement our Travel, Education, Membership Account

Upon reviewing our monthly budget accounts additional supplemental funding will be needed for our Travel, Education Membership Account, for the remainder of the budget year 2014/15.

This fund is utilized for the purpose of training staff, providing funds for state and county approved seminars, training programs and license renewals for mandatory state certification and re-certification, and Broward County Board of Rules and Appeals certification and re-certification. (Please reference attached **EXHIBIT #1**.)

We are requesting a supplemental funding as follows:

ACCOUNT #112-0000-322-60-00 "Building Certification Maintenance." Transfer \$60,000.00 from this account to **ACCOUNT #112-1540-515-40-10** Travel, Education, Membership" as authorized, pursuant to CH-104.17-104.17.6(2). Please reference **EXHIBIT #1**.)

of the HVHZ code: or five (5) years construction experience in the Structural discipline and five (5) years as an active State certified Structural inspector of which at least two (2) years shall have been within the jurisdiction of HVHZ code. An applicant for certification as Structural inspector under the provisions of this section, who has passed the BORA HVHZ Exam may substitute experience within the State of Florida for the required HVHZ Experience.

104.16.3.3 An applicant for Certification as a Structural Inspector under the provisions of this section who is a graduate from an accredited school holding a Bachelor or Associate of Science Degree in Engineering, Architecture or Building Construction may be credited for three (3) years for Bachelor Degree or one (1) year for an Associate Degree of the required five-year experience.

104.16.3.4 Each of the applicants shall possess a current Certificate of Competency as a General Contractor (Unlimited) issued by:

- A. Florida Construction Industry Licensing Board.
- B. Broward County Central Examining Board of Building Construction Trades (as Class "A" Unlimited General Contractor).
- C. Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.
- D. Florida Department of Business and Professional Regulation as an architect or engineer.

Exception: Individuals holding licenses as a residential contractor and/or building contractor, with a current Certificate of Competency issued by the Florida Construction Industry Licensing Board or Broward County Central Examining Board of Building Construction Trades, may be certified as Limited Structural Building Inspector or Limited Structural Residential Inspector with duties limited to the type and size of work for which they are certified to build. Inspectors employed under this Exception shall be required to attend the first available formal educational course as approved by the BORA immediately following employment.

104.17 Certification of Building Departments and Building Code Inspection Enforcement Personnel. The BORA shall certify each and every Building Department after it has determined to its satisfaction that the Building Code Inspection Enforcement Personnel are qualified by the provisions of this Code. These positions shall include at a minimum the Building Official, Chief Electrical Inspector, Chief Mechanical Inspector, Chief Plumbing Inspector, and Chief Structural Inspector.

104.17.1 Only such persons as are examined and certified by the BORA may be appointed or have the powers and duties of a Building Official, Assistant Building Official, or Chief Inspector. Each Building Official, Assistant Building Official, and Chief Inspector shall obtain a separate card for each governmental AHJ by which he/she is employed. Plans Examiners and Inspectors shall be issued a single certification card that is valid County-wide upon approval.

104.17.2 The certification of Building Department Inspection Personnel may be revoked, for cause, by the BORA. BORA may deny, refuse to renew, suspend, or revoke the BORA certificate of a Building Official, Assistant Building Official, Chief Inspector, Plans Examiner, or Inspector if it finds that any of the following grounds exist:

- A. Any cause for which issuance of a certificate could have been refused had it then existed and been known to BORA.
- B. Violation of FBC
- C. Falsification of records relating to the certificate.
- D. Having been found guilty of or having pleaded guilty or nolo contendere to a felony, whether or not a judgment of conviction has been entered.
- E. Failure to meet any of the renewal requirements.
- F. Having been convicted of a crime in any jurisdiction which directly relates to the practice of the building code inspection, plan review, or administration.
- G. Making or filing a report or record that the certificate holder knows to be false, or knowingly inducing another to file a false report or record, or knowingly failing to file a report or record required by the state or local law, or knowingly impeding or obstructing such filings, or knowingly inducing another person to impede or obstruct such filing.
- H. Failure to properly enforce applicable building codes or permit requirements within this state which the certificate holder knows are applicable by committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property.
- I. Accepting labor, service, or materials at no charge or at a noncompetitive rate from any person who performs work that is under the enforcement authority of the certificate holder and who is not an immediate family member of the certificate holder. For the purpose of this paragraph, the term "immediate family member" means a spouse, child, parent, sibling, grandparent, aunt, uncle, or first cousin of the person or the person's spouse or any person who resides in the primary residence of the certificate holder.

BORA upon verification of the above grounds, shall immediately notify the Building Official, Assistant Building Official, Chief Inspector, Plans Examiner and/or the Inspector involved, who, upon notification from the BORA, shall appear before the Board to explain why his/her certification should not be revoked.

104.17.3 When Building Departments fail to meet certification criteria, they will immediately be notified to cease activities until such time as requirements of this Code are met.

104.17.4 Application for certification shall contain such pertinent information as is considered relevant by the BORA.

104.17.5 Certification shall be for the remainder of the current biennial certification period for initial employment and shall be renewed biennially on January 1 of each even-numbered year thereafter. When a Building Official, Assistant Building Official or Chief Inspector, resigns from his/her position, his/her card becomes inactive until he/she again returns to work for a Building Department, at which

time, upon proper application, he/she will be issued a new certification card, at a renewal fee in the amount appropriate for each discipline according to the BORA Fee Schedule for Certification.

104.17.6 Applications for certification will not be considered unless accompanied by a written request from a specific Building Department and appropriate Certification by the State of Florida, Department of Business and Professional Regulation, BCAIB.

104.17.7 Certification Fee: If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to the BORA Fee Schedule for Certification, payable to "Broward County Board of County Commissioners."

104.17.8 After application and review, the BORA may certify the applicant; deny certification; or limit certification to a particular discipline.

104.17.9 Certification may be withdrawn, rescinded or suspended if, upon investigation, it is found that the certified person has failed to enforce the Code, abused the powers of office, or withheld or concealed information on the application which, if known to the BORA, may have been cause for denying certification.

104.17.10 Any person, whose certification has been denied, withdrawn or rescinded, may appeal to the BORA in open meeting and may produce witnesses and be represented by counsel in support of his/her claim.

104.17.11 Suspension of Certification Requirements: Upon Broward County being declared a Disaster Area, the Chairperson of the BORA or designee may temporarily suspend the Broward County certification requirements for all Certified by the State of Florida, Department of Business and Professional Regulation, BCAIB as Building Code Administrators, Plans Examiners and Inspectors. The length of time that this suspension will be in effect will be for thirty (30) calendar days. The Chairperson or designee may extend this period if conditions warrant. This temporary suspension of the certification requirement shall not apply to an individual being hired on a permanent basis.

104.18 Recertification of Building Departments and Building Code Inspection Enforcement Personnel:

104.18.1 All Building Departments shall be recertified biennially by the BORA. To be recertified, all Building Officials, Assistant Building Officials, Chief Inspectors, Plans Examiners and Inspectors who are presently certified by the BORA, shall meet the following criteria and comply with the current requirements for initial certification.

104.18.1.1 Be currently certified by the BORA.

104.18.1.2 Be presently employed by a governmental AHJ (Building Department) within Broward County. See Section 104.17.

104.18.1.3 All Building Officials, Assistant Building Officials, Chief Inspectors, Plans Examiners and Inspectors, to be recertified shall obtain thirty-two (32) contact hours within a two (2) consecutive calendar year biennial renewal period (Effective January 1, 2012, through December 31, 2013) by attending formal education courses, workshops, and seminars, any of which shall be approved by the BORA, the Miami Dade County Code Compliance Office, the BCAIB, the Construction Industry Licensing Board, or the Electrical Contractors Licensing Board, and be related to the individual's discipline. Continuing education contact hours shall include courses approved as discipline specific category (courses which are specific to the code chapters enforced by the specific discipline) and non-discipline specific category. Specific courses mandated for license holders by the State of Florida Boards' shall be classified as non-discipline specific, unless clearly indicated as discipline specific by a State agency. A minimum of one half of the thirty-two (32) contact hours within a two (2) consecutive calendar year biennial renewal period shall be discipline specific category. Meetings of the BORA Committees shall be counted as one (1) hour in the non-discipline specific category and professional association meetings shall be counted as one-half (1/2) hour in the discipline specific category for a maximum of sixteen (16) contact hours within a two (2) consecutive calendar year biennial renewal period. Unless authorized by the BORA Staff online education courses, workshops and seminars do not meet this requirement and shall not be accepted.

104.18.2 A previously employed Building Official, Assistant Building Official, Chief Inspector, Plans Examiner or Inspector may be recertified biennially upon the presentation of thirty two (32) contact hours of education accumulated during the previous two (2) consecutive calendar years.

104.18.3 If certification is not renewed and allowed to lapse, application for recertification shall be accompanied with proof acceptable to the BORA that the thirty two (32) contact hour requirement of continued education has been met.

104.18.4 By December 5 of the second year (the odd-numbered year) of a biennially renewal period, on a form as approved by the BORA, each Building Official shall submit to the BORA a list of currently employed personnel who are to be recertified for the ensuing new biennial renewal period, on a form as approved by the BORA, accompanied by a check in the amount appropriate for each discipline according to the BORA Fee Schedule for Certification for each certification, payable to the "Broward County Commissioners." Recertification is to be effective on January 1 of each biennial renewal period (the even-numbered year).

104.18.5 Recertification Fee: If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to the BORA-Fee Schedule for Recertification, payable to "Broward County Board of County Commissioners."



Select Year:

The 2013 Florida Statutes

| | | |
|--|--|--------------------|
| <u>Title XXXII</u> | <u>Chapter 468</u> | <u>View Entire</u> |
| REGULATION OF PROFESSIONS AND OCCUPATIONS | MISCELLANEOUS PROFESSIONS AND OCCUPATIONS | <u>Chapter</u> |

468.627 Application; examination; renewal; fees.—

(1) The board shall establish by rule fees to be paid for application, examination, reexamination, certification and certification renewal, inactive status application, and reactivation of inactive certificates. The board may establish by rule a late renewal penalty. The board shall establish fees which are adequate, when combined with revenue generated by the provisions of s. ~~468.631~~, to ensure the continued operation of this part. Fees shall be based on department estimates of the revenue required to implement this part.

(2) The initial application fee may not exceed \$25 for building code administrators, plans examiners, or building code inspectors.

(3) The initial examination fee may not exceed \$150 for building code administrators, plans examiners, or building code inspectors.

(4) Employees of local government agencies having responsibility for building code inspection, building construction regulation, and enforcement of building, plumbing, mechanical, electrical, gas, fire prevention, energy, accessibility, and other construction codes shall pay no application fees or examination fees.

(5) The certificateholder shall provide proof, in a form established by board rule, that the certificateholder has completed at least 14 classroom hours of at least 50 minutes each of continuing education courses during each biennium since the issuance or renewal of the certificate, including the specialized or advanced coursework approved by the Florida Building Commission, as part of the building code training program established pursuant to s. 553.841, appropriate to the licensing category sought. A minimum of 3 of the required 14 classroom hours must be on state law, rules, and ethics relating to professional standards of practice, duties, and responsibilities of the certificateholder. The board shall by rule establish criteria for approval of continuing education courses and providers, and may by rule establish criteria for accepting alternative nonclassroom continuing education on an hour-for-hour basis.

History.—s. 24, ch. 93-166; s. 10, ch. 98-287; s. 6, ch. 98-419; s. 20, ch. 2000-372; s. 5, ch. 2007-227; s. 11, ch. 2009-195.

- 112-0000-32260-00
- Account miscellaneous
- Budget miscellaneous
- Transactions
- Detail by date
- Detail by code
- Detail by year & code
- Pending by date
- Pending by code
- Pending by year
- Procurement card

Account information

Q BUILDING PERMITS / BUILDING CERT MAINTENANCE
 Fiscal year: 2014 Cr
 Estimated revenue: 89,000.00
 Total receipts: 230,959.60
 Q Unrealized revenue: 141,959.60

Project Data

Project Entry Optional

Account Balance by Period

| Period/Month | Actuals | Cumulative Totals |
|---------------|-----------|-------------------|
| Q 01 October | 16,428.40 | 16,428.40 |
| Q 02 November | 39,099.40 | 55,527.80 |
| Q 03 December | 12,296.90 | 67,824.70 |
| Q 04 January | 12,453.90 | 80,278.60 |

Payment information

Vendor (* indicates pending) Total

** 2014 Budgets*

- Print
- Cancel
- Exit
- Previous acc...
- Next account
- 2013
- 2015
- Account activi...
- Pending trans...
- Subset transa...
- Budget alloca...

| Type | App | Period | Date | Project | Transaction Amount | Budget Amount | Group | |
|------|-----|--------|------------|---------|--------------------|---------------|-------|---|
| AJ | GM | 12 | 10/06/2014 | | 10690.50 | .00 | 07562 | 1 |
| AJ | GM | 11 | 9/05/2014 | | 27089.40 | .00 | 06991 | 1 |
| AJ | GM | 10 | 8/07/2014 | | 21633.70 | .00 | 06393 | 1 |
| AJ | GM | 09 | 7/08/2014 | | 32855.20 | .00 | 05779 | 1 |
| AJ | GM | 08 | 6/04/2014 | | 15346.80 | .00 | 05080 | 1 |
| AJ | GM | 08 | 5/23/2014 | | 11307.80 | .00 | 04865 | 1 |
| AJ | GM | 06 | 4/07/2014 | | 22266.40 | .00 | 03904 | 1 |
| BA | GM | 06 | 3/28/2014 | | .00 | * 49000.00 | 03678 | B |
| AJ | GM | 05 | 3/06/2014 | | 9491.20 | .00 | 03259 | 1 |
| AJ | GM | 04 | 2/10/2014 | | 12453.90 | .00 | 02663 | 1 |
| BA | GM | 04 | 1/16/2014 | | .00 | * 40000.00 | 02150 | B |
| AJ | GM | 03 | 1/06/2014 | | 12296.90 | .00 | 01860 | 1 |
| AJ | GM | 02 | 12/06/2013 | | 39099.40 | .00 | 01370 | 1 |
| AJ | GM | 01 | 11/07/2013 | | 16428.40 | .00 | 00778 | 1 |

End of records reached

- 112-0000-322.60-00
- Account miscellane
- Budget miscellane
- Transactions
- Detail by date
- Detail by code
- Detail by year & p
- Pending by date
- Pending by code
- Pending by year
- Procurement car

Account information

Q BUILDING PERMITS / BUILDING CERT MAINTENANCE
 Fiscal year: 2015 Cr
 Estimated revenue: .00
 Total receipts: 24,561.55
 Q Unrealized revenue: 24,561.55-

Project Data

Project Entry Optional

*REVENUE
CASH REC.*

Account Balance by Period

| Period/Month | Actuals | Cumulative Totals |
|---------------|-----------|-------------------|
| Q 01 October | 10,770.10 | 10,770.10 |
| Q 02 November | 13,791.45 | 24,561.55 |
| Q 03 December | .00 | 24,561.55 |
| Q 04 January | .00 | 24,561.55 |

Payment information

Vendor (* indicates pending) Total

- Print
- Cancel
- Exit
- Previous acc...
- Next account
- 2014
- 2016
- Account actM...
- Pending trans...
- Subset transa...
- Budget alloca...

| Type | App | Period | Date | Project | Transaction Amount | Budget Amount | Group | |
|------|-----|--------|------------|---------|--------------------|---------------|-------|---|
| AJ | GM | 02 | 12/09/2014 | | 13791.45 | .00 | 01328 | 1 |
| AJ | GM | 01 | 11/10/2014 | | 10770.10 | .00 | 00807 | 1 |

End of records reached

- 112-1540-515.40-10
- Account miscellane
- Budget miscellane
- Encumbrances
- Pre-encumbrances
- Transactions
- Detail by date
- Detail by code
- Detail by year & p
- Pending by date
- Pending by code
- Pending by year
- Procurement car

Account information

Q TRAVEL EDUCATION MEMBER / TRAVEL EDUCATION MEMBER
 Fiscal year: 2015 Dr
 Budget: .00
 Committed: 160.00-
 Q Balance: 160.00

Project Data

Project Entry Optional

*expense
TRAVEL*

Account Balance by Period

| Period/Month | Actuals | Cumulative Totals |
|---------------|---------|-------------------|
| Q 01 October | 85.00- | 85.00 |
| Q 02 November | .00 | 85.00 |
| Q 03 December | 75.00- | 160.00 |
| Q 04 January | .00 | 160.00 |

Payment information

| Vendor (* indicates pending) | Total |
|------------------------------|--------|
| Q ASSE INTERNATIONAL | 85.00- |
| Q PAOLA WEST | 75.00- |

- Print
- Cancel
- Exit
- Previous acc...
- Next account
- 2014
- 2016
- Account actv...
- Pending trans...
- Subset transa...
- Budget alloca...

| Type | App | Period | Date | Project | Transaction Amount | Encumbrance Amount | Budget Am |
|------|-----|--------|------------|---------|--------------------|--------------------|-----------|
| AP | GM | 03 | 12/10/2014 | | -75.00 | .00 | |
| AP | GM | 01 | 10/06/2014 | | -85.00 | .00 | |

End of records reached

