

BROWARD COUNTY BOARD OF RULES & APPEALS
MARCH 10, 2022
MEETING MINUTES

Call to Order

Chairman Daniel Lavrich called a published virtual meeting of the Broward County Board of Rules and Appeals to order at 7:00 p.m.

Present:

Daniel Lavrich, Chair
Stephen Bailey
Ron Burr
Robert A. Kamm
Sergio Pellecer
David Rice
Daniel Rourke
David Tringo
Dennis Ulmer

A quorum was present.

Approval of Agenda

Mr. Bailey made a motion and Mr. Burr seconded the motion to approve the agenda as posted. The motion carried by unanimous vote of 9-0.

Approval of Minutes – January 13, 2022

Mr. Tringo made a motion and Mr. Bailey seconded the motion to approve the minutes as submitted. The motion carried by unanimous vote of 9-0.

CONSENT AGENDA

Certifications - Staff Recommended.

CITY OF HOLLYWOOD

YOUNG, TRESSELAR, SR., PLUMBING INSPECTOR (120-DAY TEMPORARY)
ZELINKA, MICHAEL, FIRE INSPECTOR

TOWN OF LAZY LAKE

AL-IMAM, RICHARD, CHIEF STRUCTURAL INSPECTOR

CITY OF MIRAMAR

BRYAN, JON-PAUL, FIRE PLANS EXAMINER

CITY OF PEMBROKE PINES

JIMENEZ, MATTHEW, STRUCTURAL INSPECTOR (120-DAY TEMPORARY)
RIPOLL, JOEL, CHIEF STRUCTURAL INSPECTOR

CITY OF WEST PARK

MANSOR, SIMO, CHIEF STRUCTURAL INSPECTOR

COUNTYWIDE

CASTELLANOS, LEANDRO A., STRUCTURAL INSPECTOR
COLLIE, STEVEN F., STRUCTURAL PLANS EXAMINER – LIMITED
GARCIA, ERICH, ELECTRICAL INSPECTOR
HASSENPLUG, JEREMY WERNER, PLUMBING PLANS EXAMINER
JONES, TIMOTHY S., STRUCTURAL PLANS EXAMINER
MEDIAVILLA, ARMANDO, ELECTRICAL INSPECTOR
PYCO, JOSE M., STRUCTURAL PLANS EXAMINER
RIPOLL, JOEL, STRUCTURAL INSPECTOR
RIPOLL, JOEL, STRUCTURAL PLANS EXAMINER
ROBINSON, JOSEPH C., III, STRUCTURAL PLANS EXAMINER
SHAH, SYED ASIF, STRUCTURAL PLANS EXAMINER
SZABO, MARIUS, MECHANICAL INSPECTOR

Mr. Ulmer made a motion and Mr. Pellecer seconded the motion to approve the certifications as recommended. The motion carried by unanimous vote of 9-0.

REGULAR AGENDA

1. **Local Amendment to Florida Fire Prevention Code for 1st Reading – New Code Section F-108.9.3, Entry Gates, recommended by Fire Code Committee**

a. Staff Report

Mr. Bryan Parks, Chief Fire Code Compliance Officer, noted that Ms. Lori Hastings is present this evening representing the Fire Chiefs Association of Broward County.

Mr. Parks noted the amendments in Items 1 and 2 are being brought forward to the Board by the Fire Chiefs Association of Broward County. He advised that this amendment would expedite access by fire and rescue apparatus responding to calls for help. Apparatus is prevented from entry to gated communities. Protocol in Broward County is closest unit response. For example, via GPS an apparatus for a call from a Cooper City address could be handled by Miramar if Cooper City apparatus are tied up at that time and there happens to be a Miramar ambulance returning from a hospital and is in the area. This amendment will provide a uniform approach and criteria throughout the county.

b. Board Questions

In response to Mr. Bailey, Mr. Parks advised the amendment would apply to all entry gates where the responding units do not have a means of access. He went on to explain how existing gates could be updated and indicated there are several methods.

Chief Jeff Lucas, Fire Code Official, City of Fort Lauderdale, understood a device would tie into the existing gate. It is intended only for those properties that have an automatic device or card reading device. With this new device fire apparatus would have countywide access.

In response to Mr. Burr, Mr. Parks indicated properties would have a year to implement and if necessary, an extension could be accommodated. It will become mandatory.

Chief Tommy Demopoulos, Fire Code Official, City of Tamarac, indicated the system has been successful in Tamarac. It would become mandatory. There is already a mandatory universal system in Palm Beach County.

c. Board Action

Mr. Rice made a motion and Mr. Bailey seconded the motion to approve the code amendment on first reading as recommended. The motion carried by unanimous vote of 9-0.

2. **Local Amendment to Florida Fire Prevention Code for 1st Reading – New Code Section F-121, Automatic External Defibrillator and Stop the Bleed Kit, recommended by Fire Code Committee**

a. Staff Report

Mr. Parks noted this amendment is also being brought forward to the Board by the Fire Chiefs Association of Broward County. Mr. Parks commented that several cities have already started implementation through local ordinances. This amendment provides uniform criteria.

b. Board Questions

In response to Mr. Ulmer, Mr. Parks indicated that the Stop the Bleed Kit is essentially first aid supplies. An individual can bleed out and die within two to five minutes. These tools can save lives. Training requirements are included in this amendment.

c. Board Action

Mr. Pellecer made a motion and Mr. Rourke seconded the motion to approve the code amendment on first reading as recommended. The motion carried by unanimous vote of 9-0.

3. **Modification of Board of Rules and Appeals Pay Plan to provide that the existing restriction of the hiring rate not to exceed 50% of the pay range will not apply to the position of Administrative Director**

a. Request of Administrative Director

Mr. James DiPietro, Administrative Director, explained that frequently pay rate changes are done in October and it is anticipated a new director would be hired prior to October 1. Generally, the Board follows any base rate changes made by the County. The problem is that the recruitment criteria would be based upon the pay scale that has not yet been updated. With new ranges there could be a compression problem with the Code Compliance Officers. This modification simply removes the limit and provides more flexibility for the Board for this one position.

b. Board Questions

The question of limit was clarified that it is actually being removed for this one position.

c. Board Action

Mr. Bailey made a motion and Mr. Burr seconded the motion to approve the pay plan modification as recommended. The motion carried by unanimous vote of 9-0.

4. **Director's Report**

Building Safety Inspection Program

Mr. DiPietro noted action by Miami-Dade County is not anticipated until the first week in May. There are also proposals pending at the State level. Anything that is approved would be brought forward to the Board. He referred to the Summary of Notices sent and Inspection Reports Received for 2019, 2020 and 2021 provided to the Board, and indicated that 75% of the inspection reports have been returned. There are some reasonable explanations, and the percentage of the reasonable explanation cases is unknown. For example, when there is no inspection report returned, it becomes a code enforcement case. He would like to request the cities and the County to respond with updates to the information in the Summary. For those jurisdictions that have not reached 90%, the Board's staff will make individual contact calls and representatives from those jurisdictions will be asked to come before the Board and provide an explanation.

Chairman Lavrich indicated that he has been discussing this matter with Mr. DiPietro for some time and will continue to do so in order to find out why things are not getting done. There will be more correspondence to the cities, pressing for answers in more detail.

Revenues; Budget

Mr. DiPietro noted information provided to the Board concerning the current fund balance of over \$9.2 million along with some history on the amount showing that it is growing. He may be recommending a rate reduction when the Board considers the upcoming budget.

Mr. Bailey questioned how much of a reduction would bring it to the break-even point. Mr. DiPietro indicated that in the past six or seven years there have been two rate cuts with the last one intended to come to break-even. There is a danger with being too low and with being too high. The revenue is much higher than the projection with the last rate cut. He pointed out that there was a point in time when the money ran out and a minimum permit fee of \$2 was imposed similar to the State's rate structure to help with such reduced construction. The Board will have an opportunity to deliberate and decide when the budget is presented. In response to Mr. Ulmer, some discussion ensued on the rate adjustment history. Mr. DiPietro commented that the Board went thirty-five years before the first-rate increase.

5. **Attorney's Report** - none

6. **Committee Reports**

Mr. Rice indicated that as a part of his education program for electrical inspectors, Mr. Castronovo, Chief Electrical Code Compliance Officer invited Florida Power and Light to discuss communication issues. There have been horrendous problems. He will be working with Mr. Castronovo to arrange another meeting with Florida Power and Light for engineers and contractors.

7. **General Board Member Discussion**

Administrative Director Search Committee

Chairman Lavrich indicated that he has appointed a selection screening committee with respect to selection of a new administrative director as a result of Mr. DiPietro's upcoming retirement. Other Board members that will serve on the Committee are Mr. Burr, Mr. D'Attile, Ms. Giles-Nelson, Mr. Rice and Mr. Zackria. The first meeting will be next week to formulate a plan for the search and selection. The Committee will screen candidates and bring a short list to the full Board of Rules and Appeals. He will keep the Board informed.

Attendance

Chairman Lavrich indicated there are plans to have discussions with those members who do not attend regularly because full participation is the goal.

8. **Public Committee (3-minute limit per person) and written communications** - none

9. **Adjournment**

There being no further business, the meeting adjourned at 7:41 p.m.

A handwritten signature in black ink that reads "D. Lavrich". The signature is written in a cursive style with large, looped letters.

Daniel Lavrich, P.E. - Chair