

Broward County Board of Rules & Appeals Meeting Agenda

May 13, 2021
Time: 7:00 P.M.

ZOOM Meeting Info:

<https://zoom.us/j/94302023326?pwd=eW1BUDFhbjZpQjByaGQwTlI3bHhyUT09>

Meeting ID: 943 0202 3326

Passcode: 444778

Call Meeting to Order

Roll Call

Approval of Agenda

Approval of Minutes – March 11, 2021

CONSENT AGENDA

1. Certifications - Staff Recommended.

BROWARD SHERIFF'S OFFICE

BERGER, PETER, FIRE INSPECTOR

CITY OF COCONUT CREEK

MALONEY, MELINDA, FIRE INSPECTOR

CITY OF FORT LAUDERDALE

POURJI, FARBOD, STRUCTURAL INSPECTOR (120-DAY TEMPORARY)

CITY OF LAUDERHILL

LILLIE, LAURA, FIRE PLANS EXAMINER

NEWMAN, MATTHEW, FIRE PLANS EXAMINER

CITY OF HOLLYWOOD

GRIMSLEY, MEGHAN, FIRE INSPECTOR

CITY OF MIRAMAR

SILVIO, ANTHONY, FIRE PLANS EXAMINER

CITY OF NORTH LAUDERDALE

CANFIELD, BRIAN S., CHIEF MECHANICAL INSPECTOR

CITY OF PLANTATION

BERGER, BRIAN, PLUMBING INSPECTOR (120-DAY TEMPORARY)

HURLBUT, CARMEN B., CHIEF STRUCTURAL INSPECTOR

CITY OF TAMARAC

SMILEN, GERALD, JR., CHIEF STRUCTURAL INSPECTOR

CITY OF WESTON

COX, REGINALD A., CHIEF STRUCTURAL INSPECTOR

COUNTYWIDE

CONTRERAS, RAFAEL A., JR., STRUCTURAL INSPECTOR

GRANBERG, WILLIAM HENRY JR., MECHANICAL INSPECTOR

LORENZO, ROGELIO, PLUMBING INSPECTOR

LORENZO, ROGELIO, PLUMBING PLANS EXAMINER

MARTINEZ, JORGE, STRUCTURAL INSPECTOR
PRICE, EVERETT DAVID III, ELECTRICAL PLANS EXAMINER
SANCHEZ, ARNULFO, STRUCTURAL INSPECTOR
SANCHEZ, ARNULFO, STRUCTURAL PLANS EXAMINER
SHRAMKO, PETER JOHN, STRUCTURAL INSPECTOR
TORRES, ZEBULUN, MECHANICAL PLANS EXAMINER

REGULAR AGENDA

1a. Request by City of Sunrise Building Official to extend Interim Chief Plumbing Inspector Mr. Edward McGann appointment for a second 90-day extension.

- a. Staff Report
- b. Request of Christopher Augustin
- c. Board Action

1b. Extension Request by the city of Parkland regarding Mr. Alejandro Corrales to obtain his GC. license.

- a. Staff report
- b. Request for extension
- c. Board Action

1c. Request by the City of Hollywood City Manager to extend Interim Building Official appointment of Russell Long for a second 90-day period.

- a. Staff report
- b. Request for extension
- c. Board Action

1d. Request by City of Tamarac Building Official to extend Interim Mechanical Chief appointment of Roman Sanchez for a second 90-day period.

- a. Staff report
- b. Request for extension
- c. Board Action

1e. Update of Mr. Manuel Barrera efforts to close out open permit to comply with Board of Rules and Appeals Policy 18-02 relating to closing out of open and ongoing projects.

- a. Staff report
- b. Request for extension
- c. Board Action

2. Special inspectors form advisory.

- a. Staff report
- b. Board questions
- c. Public hearing
- d. Board action

3. Survey with respect to electronic permitting throughout Broward County.

- a. Staff report
- b. Board discussion
- c. Board action

4. Fiscal year 22 Budget (October 1, 2021 – September 30, 2022).

- a. Recommendation of the Administrative Director
- b. Board Discussion
- c. Public Comment
- d. Board Action

5. Requested pay adjustment for two employees.

- a. Recommendation of Administrative Director
- b. Board discussion
- c. Public comment
- d. Board action

6. Director's Report

7. Attorney's Report

8. Committee Report

9. General Board Members Discussion

10. Public Comment (3-minute limit per person) and written communications

11. Adjournment

If a person desires to appeal any decision with respect to any matter considered at this meeting, such person will need record of the proceedings and, for this reason, such person may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be based (Sec. 286. 0105.FS). (Members: If you cannot attend the meeting, please contact Mr. DiPietro @ (954) 931-2393, between 6:00 p.m. & 7:00 p.m.)

March 11, 2021
Board Meeting Minutes



DRAFT

**BROWARD COUNTY BOARD OF RULES & APPEALS
MARCH 11, 2021
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 p.m.

Present:

Daniel Lavrich, Chair
Stephen E. Bailey, Vice-Chair
Ron Burr
Gregg D'Attile
Robert A. Kamm
Sergio Pellecer
Robert Taylor
James Terry
David Tringo
Daniel Rourke
Dennis Ulmer
Abbas Zackria (arrived at 7:12 p.m.)

Mr. Tringo made a motion and Mr. Taylor seconded the motion to approve the agenda as amended with respect to Item 3, Alternate A, and Item 8, legal opinion. The motion carried by unanimous vote of 11-0.

Approval of Minutes – February 11, 2021

Mr. D'Attile made a motion and Mr. Burr seconded the motion to approve the minutes as revised to change the page one footnote to read: "Pursuant to Broward County Charter, since a full Board seating of thirteen had been achieved prior to Mr. D'Attile attending, he was not part of the full Board seating and was not eligible to vote". The motion carried by unanimous vote of 11-0.

CONSENT AGENDA

1. Certifications - Staff Recommended.

CITY OF COCONUT CREEK

BANYAS, RYAN, FIRE CODE OFFICIAL

VILLAGE OF LAZY LAKE

CANFIELD, BRIAN SHAWN, CHIEF MECHANICAL INSPECTOR

TOWN OF LAUDERDALE-BY-THE-SEA

ADACH, EDWARD E., CHIEF STRUCTURAL INSPECTOR

CITY OF PEMBROKE PINES

ALMAGUER, DANIEL A., FIRE CODE OFFICIAL

CITY OF PLANTATION

DAVALOS, ROBERT, ELECTRICAL INSPECTOR (TEMPORARY 120-DAY)

FORGES, BERNARD, STRUCTURAL INSPECTOR (TEMPORARY 120-DAY)

CITY OF SOUTHWEST RANCHES

GARCIA, HEBERTO A., CHIEF PLUMBING INSPECTOR

CITY OF TAMARAC

DEMOPOULOS, TOMMY, FIRE CODE OFFICIAL

CITY OF WEST PARK

GARCIA, HEBERTO A., CHIEF PLUMBING INSPECTOR

COUNTYWIDE

JOSEPH, ROLLE, STRUCTURAL PLANS EXAMINER

SWEENEY, THOMAS JOSEPH, STRUCTURAL INSPECTOR

Mr. Tringo made a motion and Mr. Pellecer seconded the motion to approve the certifications as recommended. The motion carried by unanimous vote of 11-0.

REGULAR AGENDA

2. **Amendments for 2nd reading to include public hearing – Proposed amendment to the FBC, 7th Edition (2020) Building – Chapter 1, Section 101.2.2 Definitions and new section 110.3.14 Virtual Inspections**

a. Staff Report

Mr. James DiPietro, Administrative Director, reviewed the Alternate A version provided the Board. He noted that language in paragraph 3 of Section 110.3.13 Virtual Inspections was tweaked to say: Tunnel replacement of building drains and water lines. There are four virtual inspection items detailed in this section specified when approved by the Building Official. The Board could vote to add more at any point in the future.

b. Board Questions

In response to Mr. D’Attile’s question, Mr. DiPietro advised that the purpose of this amendment is to give legal authority pursuant to the code for the building official to allow only the listed virtual inspections. He added that virtual inspections were allowed for the COVID special circumstance not necessarily otherwise.

Mr. D’Attile pointed out that if the video or still photos could be submitted to the inspector, it would eliminate the need for to site visits and harness the full power of technology. Mr. Charles Kramer, Board Attorney, responded to Mr. Burr, indicating that the proposed code amendment limits virtual inspections to only those listed. Mr. Tringo felt language should be added to give the building official more latitude. Mr. D’Attile felt virtual inspections for sewer and water line renovations or emergency repairs should be permissible. Mr. Zackria also felt more latitude should be given to the building official.

Mr. Taylor suggested that “Certified Inspector” be amended to “BORA Certified Inspector”.

Mr. Kamm agreed with Mr. Zackria in expanding the latitude for the building official. Mr. Tringo suggested a percentage be specified for virtual.

Mr. DiPietro concurred with Mr. Taylor's suggestion.

Mr. Ulmer agreed with the language as presented with the understanding that it could be expanded in the future.

Mr. Kramer agreed with Mr. D'Attila that "via live video or still image taken at, or under, his/her direction" appears to be in conflict with the first part of the sentence that provides for "time and location verifiable video or still imaging". Deleting "live" would eliminate the conflict.

Mr. Taylor preferred live. He did not think it should be opened to all types of inspections.

Mr. Tringo suggested a 90-day trial period.

c. Public Hearing

Chairman Lavrich opened the public hearing.

Mr. Steve Pizzillo, President of Code Officials Educational Association, elaborated on test cases where a virtual inspection was conducted and then a live inspection immediately following. In every case, problems were discovered and there was a reversal of the inspector's decision. He emphasized the need for more study.

Mr. John Travers, Building Official, City of Fort Lauderdale, noted that Florida House Bill 0667 with respect to virtual inspections is currently in committee.

Mr. Steve Mitchell, Building Official, Town of Hillsboro Beach, indicated he is generally opposed to virtual inspections but if this is going to be enacted, he stressed inspections should be live under the direction of the inspector. Moreover, he felt there will be stock photos used by some.

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, explained the objective was consistency amongst municipalities. As a former inspector, he agreed with Mr. Mitchell that the inspector needs to be in a position to direct the individual holding the camera.

Mr. Sean Flanagan, Assistant Building Official, City of Coconut Creek, believed that contractors will take shortcuts etc. Also, there are more senses to an inspection than video that are important in an in-person inspection. He is opposed to virtual inspections.

Chief Tommy Demopoulos, Fire Marshal, City of Tamarac, noted that the National Fire Protection Association is in the creation phase of NFPA 915 which will be remote virtual inspections. A technical committee is being formed.

There being no one else wishing to speak, Chairman Lavrich closed the public hearing.

d. Board Action

Mr. Tringo made a motion and Mr. D'Attile seconded the motion to pass the item on second reading as presented with the addition of "BORA" before "Certified Inspector" and Board review after 90-days was later changed to the July 2021 Board meeting.

During discussion of the above motion, Mr. D'Attile asked if the building official has authority to deny a contractor based on that particular contractor's track record. Mr. Charles Kramer, Board Attorney, advised no, the language in the definition was directed at the inspection, therefore he could see how there could be an abuse. Mr. Tringo pointed out that if the building official made such a distinction, he would need to be prepared to present his reasons if challenged. Chairman Lavrich pointed out that there are multiple areas in the code where the building official is granted discretion. Mr. Bailey agreed with Mr. Tringo. He voiced favor in live inspections at the direction of the inspector. Otherwise inspectors will be inundated with emailed video that will substantially hamper his time to go to job sites.

Mr. Taylor wanted to remove "still imaging and "still image" from the definition. Mr. D'Attile elaborated on the advantages of still images and did not agree to amending the motion. There was consensus that this concern could be addressed at the 90-day review.

Mr. DiPietro explained that based on the adoption/effective date criteria, it would be best if the Board chose a meeting date and not a 90-day period. The motion was amended to specify the July Board meeting.

The motion carried by a vote of 11-1 with Mr. Burr voting no.

3. **Amendment for 2nd reading – Proposed amendment to the FBC, 7th Edition (2020) Building – Chapter 1, Section 104.18 "Recertification of Building Departments and Building Code Inspection Enforcement Personnel", subsection 104.18.1.3 to accept State of Florida approved online education courses as a form of compliance with the biennial continued educational requirements**

a. Staff Report

Mr. James DiPietro, Administrative Director, explained as a result of comments made at the Open Discussion with the Board of Rules and Appeals meeting an amendment was made to provide only a maximum of half of the twenty-eight required contact hours can be attended online. If the State of Florida approves an online course, the recommendation is for BORA to accept the course with the hours maximum change noted. There is also an exception that pertains to the COVID health emergency that provides for the 28 contact hours using online courses approved by the State are accepted through December 31, 2021 only.

b. Board Questions – none

c. Public Hearing

Chairman Lavrich opened the public hearing.

Mr. Steve Pizzillo, President of Code Officials Educational Association, advocated for the course to be live, that is with a moderator.

Mr. Bill Tracy, Building Official, City of Parkland, agreed with Mr. Pizzillo. He felt the code for Broward County should stay true to the fact that this region lies in a high velocity hurricane zone. He emphasized this is important particularly with respect to the structural discipline.

Mr. Sean Flanagan, Assistant Building Official, City of Coconut Creek, agreed with Mr. Tracy. Inspectors need to be trained on the code specifically for this region, a high velocity hurricane zone. This amendment would allow inspectors to take courses that do not pertain to this region. For these reasons, he does not support the proposal.

Mr. John Travers, Building Official, City of Fort Lauderdale, agreed with Mr. Flanagan but noted that courses for Miami-Dade County which is also a high velocity hurricane zone would be pertinent and should be accepted.

Mr. DiPietro concurred that courses for Miami-Dade County would also be accepted as already provided by law. He went on to explain this proposal pertains to only fourteen of the twenty-eight hours being in accordance with the State minimum standards. The State requirement is fourteen hours and Broward County is twenty-eight, therefore the additional hours from fourteen to twenty-eight would be designed for this region and under this Board's control.

Mr. Steve Mitchell, Building Official, Town of Hillsboro Beach, was opposed to static education without the give and take of a live instructor, a question and answer session and participation from the attendees.

There being no one else wishing to speak, Chairman Lavrich closed the public hearing.

d. Board Action

Mr. Tringo made a motion and Mr. Zackria seconded the motion to pass the item on second reading as recommended. The motion carried by unanimous vote of 11-1, with Mr. D'Attile voting no.

4. **Amendments for 2nd reading – Board member recommended amendment to the FBC, 7th Edition (2020) Building – Chapter 1, to reduce the number of training hours required for inspectors due to the COVID-19, said reduction to automatically expire December 31, 2021**

a. Request by Board member David Tringo

Mr. Tringo explained this is a one-time reduction of hours.

b. Board Questions - none

c. Public Hearing

Chairman Lavrich opened the floor for a public hearing.

Mr. Steve Pizzillo, President of Code Officials Educational Association, did not support the amendment in that half of the courses would have little to nothing to do with the daily role of an inspector. The specified number of hours is not enough.

Mr. Sean Flanagan, Assistant Building Official, City of Coconut Creek, did not support the amendment. The specified number of hours is already too low.

Mr. Bill Tracy, Building Official, City of Parkland, agreed with Mr. Flanagan and Mr. Pizzillo. There are multiple opportunities to secure the required number of hours. He did not think it is burdensome to require twenty-eight hours over a two-year period. This could be the beginning of a slippery slope.

There being no one else wishing to speak, Chairman Lavrich closed the public hearing.

d. Board Action

Mr. Tringo made a motion and Mr. Bailey seconded the motion to pass the item on second reading as written. The motion failed by a vote of 6-6, with Mr. D'Attile, Mr. Kamm, Mr. Rourke, Mr. Taylor, Mr. Zackria and Chairman Lavrich voting no.

5. **Disposal of litigation case files pursuant to Florida Division of Library and Information Services' General Records Schedule GS1-SL**

a. Staff Report

Ms. Jonda Joseph, Administrative Specialist, noted there is an error in the subject line as this item pertains to litigation case files.

Mr. James DiPietro, Administrative Director, indicated that these are some of the oldest records in the agency. The Board Attorney has furnished a legal opinion that they may be destroyed.

b. Board Questions – none

c. Board Action

Mr. Ulmer made a motion and Mr. Kamm seconded the motion to approve the item as recommended. The motion carried by unanimous vote of 12-0.

6. **Declaration of surplus properties, 11 copies of the Florida Fire Prevention Code – 6th Edition (2017)**

a. Staff Report

Mr. James DiPietro, Administrative Director, explained that although the 6th edition is no longer the most current, the code books still have value, and they are public property. With the Board's approval, they will be offered to the building and fire code officials and staff will decide how to dispose of any remaining ones.

- b. Board Questions – none
- c. Board Action

Mr. Zackria made a motion and Mr. Taylor seconded the motion to declare as surplus as recommended. The motion carried by unanimous vote of 12-0.

7. **Director's Report** - none

8. **Attorney's Report**

Mr. Charles Kramer, Board Attorney, drew attention to the legal opinion provided as to requirement for owner signature on form for special inspector. Because of some opposition, he outlined the entire section to emphasize that no where is there any such requirement. A new opinion, dated February 23rd, replaces the one dated February 19th, wherein some personal perspective has been removed.

9. **Committee Report** - none

10. **General Board Member Discussion**

Public Comment at Board Meetings

Mr. Burr questioned whether it would be better if public comment was moved to the beginning of the meeting to be more public friendly. People would then not have to stay for the entire meeting. Chairman Lavrich pointed out that it would delay the Board meeting and not typical. After attending several municipal council/commission meetings, he found that public comment is often scheduled at the beginning.

Time of Board Meetings

Mr. Kamm asked about holding the Board meetings during the day. Chairman Lavrich explained the thinking is that as a public meeting it should be held in the evening when the public could attend. In response to Chairman Lavrich, Mr. Kramer, Board Attorney, indicated that both times could be considered reasonable. There is no prohibition. Mr. D'Attile favored the idea and went on to comment that all of the Board's committee meetings are during the day. Mr. Taylor suggested a trial basis. Mr. Zackria thought the reasoning previously had to do with commute in traffic for an in-person meeting. Mr. Tringo commented on space availability difficulty for in-person meetings during the day.

Mr. Tringo went on to mention that often municipal council/commission meetings schedule public comment at the beginning but only for subject not on the agenda. Chairman Lavrich pointed out that topics not on the agenda should actually be addressed at the "Open Discussion

with Your Board of Rules and Appeals” meetings. Mr. Ulmer commented that inspectors on occasion need to address the Board and a daytime meeting would pose a problem for them.

Chairman Lavrich asked the individual shown on the screen as iPad2 to identify him or herself but there was no response. This individual will not be included on the meeting guest list.

E-Permitting Ad Hoc Committee

Chairman Lavrich advised that a great deal of discussion has taken place and continues with the Administrative Director. There are a lot of issues. The goal is to develop a scope and clearly delineate the charge and direction of the committee. The name would be: Ad Hoc Committee to Encourage Electronic Permitting throughout Broward County Governmental Jurisdictions. One question is the scope of electronic permit applications, that being only changeouts, high-rise buildings, for example. What discipline of permits should be included is another consideration. He wanted to come to a conclusion on some of these points before appointing a committee.

11. **Public Comment (3-minute limit per person) and written communications**

Mr. John Travers, Building Official, City of Fort Lauderdale, advised that the venue for Board of Rules and Appeals’ meetings would probably not be available during the day. There could be challenges for Board members and the public to attend during the day.

Mr. Travers went on to ask if the Board would consider continuing virtual Board meetings as a new normal. Chairman Lavrich advised that this has been discussed and if acceptable by law, it will certainly be considered. Mr. Kramer responded to Mr. Tringo, commenting that this board has authority to meet virtually and there is movement in the legislature to allow all administrative agencies to hold meetings virtually.

12. **Adjournment**

There being no further business, the meeting adjourned at 8:50 p.m.

Daniel Lavrich, P.E. - Chair

Section 1

MAY 13, 2021 BOARD MEETING
CERTIFICATIONS

BROWARD SHERIFF'S OFFICE

BERGER, PETER, FIRE INSPECTOR

CITY OF COCONUT CREEK

MALONEY, MELINDA, FIRE INSPECTOR

CITY OF FORT LAUDERDALE

POURJI, FARBOD, STRUCTURAL INSPECTOR (120-DAY TEMPORARY)

CITY OF LAUDERHILL

LILLIE, LAURA, FIRE PLANS EXAMINER

NEWMAN, MATTHEW, FIRE PLANS EXAMINER

CITY OF HOLLYWOOD

GRIMSLEY, MEGHAN, FIRE INSPECTOR

CITY OF MIRAMAR

SILVIO, ANTHONY, FIRE PLANS EXAMINER

CITY OF NORTH LAUDERDALE

CANFIELD, BRIAN S., CHIEF MECHANICAL INSPECTOR

CITY OF PLANTATION

BERGER, BRIAN, PLUMBING INSPECTOR (120-DAY TEMPORARY)

HURLBUT, CARMEN B., CHIEF STRUCTURAL INSPECTOR

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COX, REGINALD A., CHIEF STRUCTURAL INSPECTOR

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CONTRERAS, RAFAEL A., JR., STRUCTURAL INSPECTOR

GRANBERG, WILLIAM HENRY JR., MECHANICAL INSPECTOR

LORENZO, ROGELIO, PLUMBING INSPECTOR

LORENZO, ROGELIO, PLUMBING PLANS EXAMINER

MARTINEZ, JORGE, STRUCTURAL INSPECTOR

PRICE, EVERETT DAVID III, ELECTRICAL PLANS EXAMINER

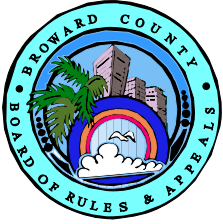
SANCHEZ, ARNULFO, STRUCTURAL INSPECTOR

SANCHEZ, ARNULFO, STRUCTURAL PLANS EXAMINER

SHRAMKO, PETER JOHN, STRUCTURAL INSPECTOR

TORRES, ZEBULUN, MECHANICAL PLANS EXAMINER

Section 1a



BROWARD COUNTY

Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

To: Members of the Broward County Board of Rules and Appeal

From: Chief Plumbing Code Compliance Officer, Otto Vinas

Date: March 22, 2021

Subject: Request for a 90-day extension to the Interim Chief Plumbing Inspector, Edward McGann for the City of Sunrise.

Recommendation

Approve a 90-Day extension requested by the Building Official Christopher Augustin for Interim Chief Plumbing Inspector. The extension will expire on July 8, 2021.

Reasons

Due to Covid-19 the City of Sunrise the process hiring has taken longer than expected.

Additional information

Email trail from Christopher Augustin requesting an extension.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Vinas".

Otto Vinas

Attachment #1

FBC CHAPTER 1 ADMINISTRATION—BROWARD COUNTY

104.3 Appointment of the Chief Electrical, Mechanical, Plumbing and Structural Inspector. As set forth herein:

Each appointing authority shall appoint a person qualified as set forth in the below Sections to serve as Chief Inspector in each discipline stated above. If there is one (1) Inspector (each discipline stated above) hired by an appointing authority in Broward County, that Inspector shall be a Chief Inspector (Chief or Head of the Division). The Chief Inspector (Chief or Head of the Division) does not have to be personally present at the governmental department as long as he or she is available and can perform their duties. To be eligible for appointment as a Chief Inspector (each discipline stated above), such person shall be certified by BORA.

104.3.1 Interim Chief Inspector. In the event that a Chief Inspector's employment is terminated with a jurisdiction, or is otherwise unavailable, an Interim Chief Inspector may be appointed for up to ninety (90) days while the Chief Inspector is being replaced with a permanent appointee. An approved application for a Chief Inspector must be submitted to BORA prior to the expiration of the ninety (90) days. The Interim Chief Inspector shall be qualified as a Chief Inspector as specified in Section 104.5, 104.6, 104.7 or 104.8 of this Code. BORA shall be notified in writing by the Building Official of the name and starting date of the Interim Chief Inspector. The name of the Interim Chief Inspector will be recorded by BORA but he or she will not be issued a certification card as the Chief Inspector.

March 9, 2021

James DiPietro
Administrative Director
Board of Rules and Appeals
1 North University Drive
Suite 3500 B
Plantation, FL 33324

RE: Interim Chief Plumbing Inspector

Dear Mr. DiPietro,

I am hereby respectfully requesting a 90-day extension to the appointment of the Interim Chief Plumbing Inspector position for the City of Sunrise. Edward McGann has been acting in the capacity of the Interim Chief Plumbing Inspector since December 19, 2020. A 90-day extension would expire June 17, 2021.

The City of Sunrise is actively seeking to permanently fill the position, but due to COVID-19 the hiring process has taken longer than originally anticipated.

Section 104.3.1 of the Broward County Amendments to the Florida Building Code does not speak of extensions to the Interim Chief Inspector positions, yet Section 104.1.1.1(b) specifically allows for a 90-day extension to be granted to the appointment of the Interim Building Official by BORA's Administrative Director after the initial 90-day appointment of the interim Building Official. The interim position can also be extended beyond that point if approved by the Board.

Thank you for your consideration in this matter.

Respectfully,



Christopher Augustin

From: [Dipietro, James](#)
To: [Boselli, Ruth](#); [Curry, Brianna](#); [Joseph, Jonda](#)
Cc: [Vinas, Otto](#)
Subject: FW: Edward McGann
Date: Wednesday, March 31, 2021 11:33:03 AM
Attachments: [image003.png](#)

Place in agenda folders please .

From: Augustin,Christopher <CAugustin@sunrisefl.gov>
Sent: Wednesday, March 31, 2021 11:07 AM
To: Vinas, Otto <OVINAS@broward.org>
Cc: Dipietro, James <JDIPIETRO@broward.org>; Augustin,Christopher <CAugustin@sunrisefl.gov>
Subject: RE: Edward McGann

External Email Warning: This email originated from outside the Broward County email system. Do not reply, click links, or open attachments unless you recognize the sender's **email address** (not just the name) as legitimate and know the content is safe. Report any suspicious emails to ETSSecurity@broward.org.

Thank you Otto!

Respectfully,

Chris Augustin CBO, CFM, LEED AP, CGC

Building Official

Building Division
Community Development Department
1607 NW 136th Avenue, Building B
Sunrise, FL 33323
(954) 572-2364 (Office)
(954) 572-2357 (Fax)
CAugustin@SunriseFL.gov
<http://www.sunrisefl.gov>



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From: Vinas, Otto <OVINAS@broward.org>
Sent: Wednesday, March 31, 2021 10:44 AM
To: Augustin, Christopher <CAugustin@sunrisefl.gov>
Cc: Dipietro, James <JDIPIETRO@broward.org>
Subject: Edward McGann

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Chris,
The April Board meeting is cancelled. The next Board meeting is scheduled on May 13, 2021. Interim Plumbing Chief Edward McGann will have his extension until the next scheduled Board meeting.

Otto Vinas
Plumbing Chief Code Compliance Officer
Broward Co. Board of Rules and Appeals
1 N University Dr. Suite 3500B
Plantation FL 33324
954-765-4500
<http://www.broward.org/CodeAppeals/Pages/Default.aspx>



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~ ESTABLISHED 1971 ~

Under Florida law, most e-mail messages to or from Broward County employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the County, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

Section 1b

RESULTS OF REVIEW
BY
BOARD OF RULES AND APPEALS
ATTORNEY
CHARLES KRAMER

From: [Dipietro, James](#)
To: [Morell, John](#)
Cc: [Guerasio, Michael](#); [Boselli, Ruth](#); [Curry, Brianna](#)
Subject: FW: Certification of Alex Corrales
Date: Friday, April 30, 2021 10:16:08 AM

Chucks legal opinion. 1 of 2 related e-mails

From: Chuck Kramer <ckramer@bmvlawyers.net>
Sent: Tuesday, April 20, 2021 5:11 PM
To: Dipietro, James <JDIPIETRO@broward.org>
Subject: Certification of Alex Corrales

External Email Warning: This email originated from outside the Broward County email system. Do not reply, click links, or open attachments unless you recognize the sender's **email address** (not just the name) as legitimate and know the content is safe. Report any suspicious emails to ETSSecurity@broward.org.

Jim,

I confirm that on April 20, 2021, I spoke with Bill Tracy, Building Official, City of Parkland, Florida on the matter of Alex Corrales.

Although I am waiting for Mr. Tracy to provide me with a copy of correspondence in his possession from the CILB I will confirm in writing what we discussed.

Mr. Tracy advised that Alex Corrales submitted documentation to the CILB for the final process of receiving BORA certification to become a building inspector.

On April 19, 2021, Corrales received correspondence from the CILB advising that his submission had been red flagged for certain issues.

Specifically:

1. Corrales had put the name of his current supervisor as Bill Tracy when in fact it should have been William Tracy.
2. Corrales had inadvertently put the City of Parkland as a qualifying employer when in fact the City of Parkland does not meet the

requirements for experience as set forth under state statute.

3. Corrales had put the name of his prior qualifying employer as “CC Homes” when in fact it was “CC Development.”
4. Corrales had failed to list sufficient work experience (5 years) although it is alleged that he does have the necessary work experience.

I have been advised that all of these issues have been addressed and clarified in Corrales’ most recent application which was submitted today (April 20, 2021) to the CILB. It is alleged that in direct communications with Corrales, the City of Parkland and the CILB, Corrales’s submissions are due to be approved on May 12, 2021. Your attorney was not a party to those communications and cannot confirm those communications took place.

Based on our review of the Code and actions by BCAIB and the Office of the Governor of the State of Florida, the we cannot agree that an extension of time of an additional 120 days is in order for Mr. Corrales to keep his temporary status as a Certified Structural Inspector.

FBC 104.16.12.1.2 specifically states:

113.12 Powers:

113.12.1 BORA may interpret the provisions of this Code to cover a special case if it appears that the provisions of this Code do not definitely cover the point raised or that the intent of this Code is not clear or that ambiguity exists in the wording: **but it shall have no authority to grant variances where the Code is clear and specific.**

See also Memo from Dan Lavrich re: Certification Requirements of Structural Inspector / August 20, 2020

It is not to say that BORA could not take the matter under consideration at its next meeting of May 13, 2021 ***if Mr. Corrales obtains his BCAIB certification before that date.***

We can only state that at this time, your attorney cannot agree to an extension

of time, a waiver, or “grant a variance where the Code is clear.”

Highest regards,

Charles M. Kramer | **BENSON, MUCCI & WEISS PL**

Florida Supreme Court Qualified Arbitrator

Florida Bar Board Certified in Construction Law

General Counsel to the Broward County Board of Rules and Appeals

General Counsel to the Broward County Building Certification Committee

5561 University Drive, Suite 103

Coral Springs FL 33067

Phone 954.323.1023 | Direct 954.947.2523

ckramer@bmvlawyers.net | www.bmvlawyers.net

cmk@ckramerlaw.com

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Please consider the environment before printing.

From: [Dipietro, James](#)
To: [Morell, John](#)
Cc: [Guerasio, Michael](#); [Boselli, Ruth](#); [Curry, Brianna](#)
Subject: FW: Alex Corrales
Date: Friday, April 30, 2021 10:18:23 AM
Attachments: [CILB Response 4-19-21.pdf](#)
[CILB Response 4-20-21.pdf](#)

More info from Chuck. 2nd of 2 related e-mails.

From: Chuck Kramer <ckramer@bmvlawyers.net>
Sent: Thursday, April 22, 2021 9:09 AM
To: Dipietro, James <JDIPIETRO@broward.org>
Subject: FW: Alex Corrales

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Jim,

Please find attached the documentation on Alex Corrales which I received from Bill Tracy yesterday afternoon.

I have also confirmed with Mr. Tracy that Alex Corrales will be taken out of the field effective April 30, 2021 but will remain in the employ of the City of Parkland, Building Department, at his current pay rate until his application is approved by the CILB.

Highest regards,

Charles M. Kramer | **BENSON, MUCCI & WEISS PL**

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Please consider the environment before printing.

From: Bill Tracy <btracy@cityofparkland.org>
Sent: Wednesday, April 21, 2021 5:47 PM
To: Chuck Kramer <ckramer@bmwlawyers.net>
Subject: RE: Alex Corrales

Good Afternoon Chuck,

Attached please find the review letter from CILB and Alex's response, which he sent back to the CILB yesterday. As we had discussed, the comments were limited to minor details that only required additional clarification.

Please feel free to contact me if you have any questions

Sincerely,
Bill

William A. Tracy CBO CFM
Building Official
City of Parkland
6600 University Drive
Parkland, Florida 33067
Ph: (954) 757-4166
Fax: (954) 753-8838
Email: wtracy@cityofparkland.org



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From: Chuck Kramer <ckramer@bmwlawyers.net>
Sent: Tuesday, April 20, 2021 4:30 PM
To: Bill Tracy <wtracy@cityofparkland.org>
Cc: Dipietro, James <JDIPIETRO@broward.org>
Subject: Alex Corrales

Bill,

Thank you for your time and input on the matter of certification for Alex Corrales.

You have advised that you will send me a copy of the most recent correspondence from the CILB with regards to Alex Corrales and that Mr. Corrales will be resubmitting his documents to CILB before the close of business today.

You have also advised that Mr. Corrales expects a response from the CILB on May 12, 2021 which would be the day before the next BORA meeting.

I have advised that the legal and administrative offices must comply with Section 113.12.1 of the Florida Building Code, Broward County Edition wherein is stated:

113.12 Powers:

113.12.1 BORA may interpret the provisions of this Code to cover a special case if it appears that the provisions of this Code do not definitely cover the point raised or that the intent of this Code is not clear or that ambiguity exists in the wording: **but it shall have no authority to grant variances where the Code is clear and specific**

In so saying, we very strongly encourage Mr. Corrales to submit his required documentation in effort to obtain a determination from the licensing board before the next BORA meeting.

-
Highest regards,

Charles M. Kramer | **BENSON, MUCCI & WEISS PL**

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Florida Bar Board Certified in Construction Law

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Please consider the environment before printing.

April 19, 2021

Alejandro David Corrales,
2320 Havana Dr
Miramar, FL 33023

RE: Construction Industry Licensing Board
Application Number: 526788, Profession 0605

Dear Alejandro Corrales:

We have received the additional information you submitted, however, we are still unable to complete the processing of your application for the following reasons:

1. Section III – Qualifications for Certified License

- Please revise the employer provided as our records indicate that “City of Parkland- Building Department” is not qualified by DBPR.
 - Please also revise the name of the Qualified Contractor provided for the employer City of Parkland, as our records indicate that the name given for license CGC061078 is not Bill Tracy.
- Please revise the Employer Name provided for the company qualified by Francisco Lara.
- The Method of Qualification reflected on your application is Four years of experience as a worker or foreman, with at least one year as a foreman. However, the currently listed experience on the application is insufficient. In order to use this method of qualification, you must have a minimum of 4 years of non-overlapping project experience. Please use the attached blank application page to provide additional non-overlapping experience and project specifics.
 - "Non-overlapping" experience means the time when at least one project was being conducted. For example, if Project 1 was conducted between January 1 and May 31 (5 months of experience) and Project 2 was conducted between March 1 and October 31 (8 months of experience), we would subtract the overlapping periods between March 1 and May 31 since they are the months in common between the two projects. This would result in a total experience time of 10 months as opposed to 13 months (5 months + 8 months).

Please do not reply to this email. To submit the requested documentation use one of the following options:

Option one for online applicants:

850.487.1395

2601 Blair Stone Road
Tallahassee, FL 32399-0783

www.MyFloridaLicense.com
License Efficiently. Regulate Fairly.

If you submitted your application using our online services you can submit the requested information through your online account. Please log onto your account at <http://www.myfloridalicense.com>, once logged in take the following steps:

1. Select "Application Status Inquiry" from the **Functions** menu on the left hand side of the main account screen
2. Locate the application you are submitting information for and select "Attach" on under **Attachments**
3. Use the "Browse" button to locate the file you need to upload from your computer
 - a. Once you have selected the file select **Attach**
 - i. You can attach multiple files if needed
 - b. Once all files have been attached select **Save**

An email will be sent to you confirming that the attachments have been uploaded to your application.

Option two for all applicants:

If you submitted your application by mail or you are unable to submit the required documentation electronically you may either fax a copy of this letter along with your documents to 850.488.8040 or mail a copy of this letter and your documents to:

DBPR-Central Intake
2601 Blair Stone Road
Tallahassee, FL 32399-0783

The department has examined your application and determined that your application is incomplete at this time. If you do not provide the information or documents requested in this letter, your application will remain in an incomplete status until it expires. You must provide a response to this notification for the department to take any further action on your application. If you would like to check the status of your application or have any questions, please visit our website at www.myfloridalicense.com. You may also contact the Department at www.myfloridalicense.com/contactus or by calling 850.487.1395.

Thank you in advance for your cooperation.

AE

Attachment (1)

The information contained in this message is confidential. If you are not the intended recipient, please: (i) delete the message and all copies; (ii) do not disclose, distribute or use the message in any manner; and (iii) notify the sender immediately. If you choose to contact this office by email or provide information in an interactive form on our site, such information, unless otherwise exempted by Florida law, is a public record and must be made available for public inspection upon request. Thank you.

4.

Dear Reviewer,

I hope you are doing well. I have made the requested changes and clarifications to my application.

1. The Parkland building department is not a construction organization and is not included in my 4-year construction experience. Mr. William Tracy is the building official under whom I currently work as a structural building inspector.
2. Mr. Francisco Lara is the qualifier for CC Devco Construction, LLC and does business under the name CC Homes. I have revised the name of the contractor to their registered name.
3. My construction experience submitted covers 4 years and 10 months. Many projects I have worked overlap each other but if the overlaps are deducted, there are 4 years and 10 months of experience in the five projects submitted. These projects are not inclusive of all my construction experience and if more experience is required, I will happily provide another project.

CC Devco Construction Projects:

Miralago at Parkland: 04/2017 – 12/2019

Cascata at Parkland: 12/2017 – 01/2020

Total Non-Overlapped Time: 2 years, 9 months

P. Brazil Construction:

Taft House: 02/2015 – 02/2016

Oxford Town Villa: 07/2015 – 12/2016

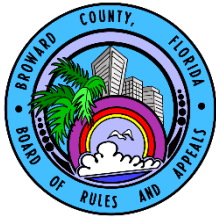
Lafayette Park Towers: 02/2016 – 03/2017

Total Non-Overlapped Time: 2 years, 1 month



Respectfully,
Alejandro Corrales

CODE COMPLIANCE OFFICER
STAFF REPORT



BROWARD COUNTY BOARD OF RULES AND APPEALS

ONE NORTH UNIVERSITY DRIVE
SUITE 3500-B
PLANTATION, FLORIDA 33324

PHONE: 954-765-4500
FAX: 954-765-4504

www.broward.org/codeappeal

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Chair

Mr. Daniel Lavrich,
P.E., S.I., SECB, F. ASCE, F. SEI
Structural Engineer

Vice-Chair

Mr. Stephen E. Bailey, P.E.
Electrical Engineer
Mr. John Famularo,
Roofing Contractor
Mrs. Shalanda Giles Nelson,
General Contractor
Mr. Daniel Rourke
Master Plumber
Mr. Gregg D'Attila,
Mechanical Contractor
Mr. Ron Burr
Swimming Pool Contractor
Mr. John Sims,
Master Electrician
Mr. Dennis A. Ulmer
Consumer Advocate
Mr. Abbas H. Zackria, CSI
Architect
Mr. Robert A. Kamm, P.E.
Mechanical Engineer

Vacant

Representative Disabled Community
Mr. Sergio Pellecer
Fire Service Professional

2020 Alternate Board Members

Mr. Jeff Falkanger
Architect
Mr. Steven Feller, P.E.
Mechanical Engineer
Mr. Alberto Fernandez,
General Contractor
Mr. Robert Taylor
Fire Service

Vacant

Structural Engineer
Mr. David Rice, P.E.
Electrical Engineer
Mr. James Terry,
Master Plumber
Mr. David Tringo,
Master Electrician
Mr. William Flett,
Roofing Contractor

Board Attorney

Charles M. Kramer, Esq.

Board Administrative Director

James DiPietro

—ESTABLISHED 1971—

TO: Members of the Board
From: Jack Morell
Date: May 5, 2021
Subject: Extension Request by the city of Parkland regarding Me. Alejandro Corrales to obtain his GC License.

Recommendation

Staff recommends denial of the request for extension to comply **with Broward County Administrative Code 2020 7th Edition Section 104.16.3.1.2**

“Be a BCAIB certified Standard Inspector in the Structural discipline with five (5) years of experience within the State of Florida, of which, two (2) years shall have been within HVHZ or by passing BORA's HVHZ exam. An individual qualifying through this path shall be required to acquire a G.C. license, by exam, within one (1) year of initial certification as an inspector.”

Broward County Administrative Code 2020 7th Edition Section 113.12 Powers:

BORA may interpret the provisions of this Code to cover a special case if it appears that the provisions of this Code do not definitely cover the point raised or that the intent of this Code is not clear or that ambiguity exists in the wording: but it shall have no authority to grant variances where the Code is clear and specific.”

Our attorney opined in his E-Mail of April 30, 2021 “We can only state that at this time, your attorney cannot agree to an extension of time, a waiver, or “grant a variance where the Code is clear.”

Reason

William “Bill” Tracy Building Official, City of Parkland requests an extension, of 120 days from the date of initial expiration April 30, 2021, of the time limit contained in Chapter One Broward County Amendments Section 104.16.3.1.2 requiring an applicant for a standard inspector to obtain a General Contractors license within one year from date of application.

Mr. Alejandro (Alex) Corrales applied for a standard structural inspector certification April 30, 2020 that was approved with the provision provided in “Chapter One Broward County Amendments Section 104.16.3.14.2 to acquire a G.C. license by exam within one year.” An applicant for a General Contractors License is required to pass (3) three examinations, Business & Finance, Contract Administration, and Project Management.

At the time of application Mr. Corrales received his State Provisional Structural Inspection license and scheduled for his Business and Practices examination. During the past year Mr. Corrales has taken and passed all the required examinations and as of April 18, 2021 received a letter from DBPR requesting additional information to support his qualifications for his General Contractors License.

The Department of Business and Professional Regulation, in a letter dated October 20, 2020 states the network has been down for three weeks and is causing delays in both application processing and testing.

An E-Mail Dated April 14, 2021 from Person Vue stating that Covid-19 does affect exam deliveries and the test centers may need to limit workstation availability to ensure social distancing.

Additional Information

Letter dated April 9th from William Tracy requesting extension.

The provision in Section 104.16.3.1.2 is specific to Broward County and is not a state requirement of the Building Code Administrators and Inspectors Board.

E-Mail update April 14, 2021 from Mr. William "Bill Tracy", "Mr. Corrales has passed all required examinations and is scheduled for review by the Construction Industries Board meeting May 12 thru May14 2021."

Letter from DBPR requesting additional qualification information for certification.

April 30, 2021 E-Mail from Board Attorney.

Jack Morell
John Morell Chief Code Structural Code Compliance Officer

Morell, John

From: Bill Tracy <btracy@cityofparkland.org>
Sent: Wednesday, April 14, 2021 10:49 AM
To: Morell, John
Subject: RE: Alex Corrales Provisional license

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Will have Alex send you the timeline.

He passed his last GC exam about 8 months ago – it took him about 6 months to send in his application to the CLB mostly due to getting a hold of his old boss in California. As I stated in my correspondence, we thought he had another year to get this license

From: Morell, John
Sent: Wednesday, April 14, 2021 9:53 AM
To: Bill Tracy ; Dipietro, James
Cc: Guerasio, Michael
Subject: RE: Alex Corrales Provisional license

Bill,
we still need verification of the time lines for application, receipt from the board with dated for meeting of the board to process the application for each test, ETC.

Respectfully

Jack Morell
Chief Structural Code Compliance Officer
Broward County Board of Rules and Appeals
954-765-4500 x 9887
jmorell@broward.org



From: Bill Tracy <btracy@cityofparkland.org>
Sent: Wednesday, April 14, 2021 9:08 AM
To: Dipietro, James <JDIPIETRO@broward.org>
Cc: Morell, John <JMORELL@broward.org>; Guerasio, Michael <MGUERASIO@broward.org>
Subject: Alex Corrales Provisional license

DBPR and Pearson Vue

BY [ROBIN](#) / THURSDAY, 29 OCTOBER 2020 / PUBLISHED IN [ALL](#)

Hi Everyone,

The DBPR has been down due to network issues for three weeks. This causes delays in both application processing and testing. Be patient, the DBPR is working quickly to get back up and running. They are back to working now and processing applications, but there are still a few glitches to work out. Pearson Vue emails with the "Authorization to Test" are taking additional time; please be patient!

It is important right now for everyone to realize that there is no "expediting" of applications by offering to throw money at me, another licensing service, or a school. DO NOT FALL FOR CHEAP TRICKS! The DBPR DOES NOT PROCESS ONE COMPANY'S APPLICATIONS BEFORE ANYONE ELSE'S; THAT IS A FALSEHOOD.

Here is a "copy/paste" from Professional Testing's website at www.floridaexam.com:

"CANDIDATES:

ATTENTION CANDIDATES!!!!

We would like to inform you that DBPR is experiencing network issues. Registrations will take longer than usual to be sent to Pearson Vue and this will also include receiving authorization emails. Once the problem gets resolved, it will take some time for them to catch up. As in the past, you will be notified via email scheduling instructions for Pearson VUE. Sorry for any inconvenience this may cause.

CBT Registrations:

Please allow 10 business days from the time of registration to receive your Pearson Vue authorization number.

If you are having trouble scheduling your CBT exams with Pearson VUE, please try the following:

- 1. When trying to schedule with Pearson VUE, it is best, at this time, to schedule online by creating an online account.*
- 2. Candidates are advised to frequently check examination availability through their online account with Pearson VUE as seats may open due to cancellation or expanded capacity.*

Morell, John

From: Pearson VUE Customer Service <pearsonvuecustomerservice@pearson.com>
Sent: Wednesday, April 14, 2021 9:14 PM
To: Morell, John
Subject: Re: Contact Americas customer service (regulatory)

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Dear Jack,

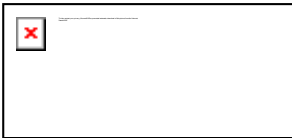
Thank you for contacting Pearson VUE.

We are happy to guide you. COVID-19 does affect the exam deliveries across the globe and we are still taking precautions. At Pearson VUE-owned test centers that are open, we are following social distancing requirements. Test centers may need to limit workstation availability to ensure that local social distancing requirements can be maintained between candidates, which is why some exam appointments have been canceled at test centers that are open for exam delivery at this time.

If you have any further questions, please contact us again.
Thank you,

Rahul D.
Americas Customer Service Team
Customer Support Specialist
Pearson VUE

Learn more at [PearsonVUE.com](https://www.pearsonvue.com)



From: Morell, John
Sent: Tuesday, April 13, 2021 8:42 AM
To: Pearson VUE Customer Service
Cc: Morell, John
Subject: RE: Contact Americas customer service (regulatory)

Thank you for your response. I am not personally applying for a license of test. As you can see I am from the Broward County Board of Rules and Appeals, and we have a provision that our building code folks obtain a contractors license within a year of certification. This individual claimed that there were delays in scheduling last year and is asking for an extension from us. As Such, are you able to identify any delays or postponements during the period of April 2020 and April 2021 for any reason, Covid, slow down because of reduced personal, ETC.?

Respectfully
Jack Morell
Chief Structural Code Compliance Officer

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Good morning, Jim

I wanted to give an update on Alejandro Corrales:

He submitted additional information requested by the CILB concerning his application for GC licensure last week. He was informed that he would not make it on the April Board Meeting agenda, which begins today. He will be on the agenda for the May Board meeting, May 12-14. He has passed his GC exams, and will be taking his inspector Exam next week.

Again, I apologize for not pushing him to send in his GC application earlier – I was under the impression he had a 1 year extension on his provisional license. I request that he be granted an extension on the BORA requirement until it can be presented to the Board for consideration of extending local requirements to align with State requirements.

Sincerely,

Bill

William A. Tracy CBO CFM

Building Official

City of Parkland

6600 University Drive

Parkland, Florida 33067

Ph: (954) 757-4166

Fax: (954) 753-8838

Email: wtracy@cityofparkland.org



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Under Florida law, most e-mail messages to or from Broward County employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the County, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

From: [Dipietro, James](#)
To: [Morell, John](#)
Cc: [Guerasio, Michael](#); [Boselli, Ruth](#); [Curry, Brianna](#)
Subject: FW: Certification of Alex Corrales
Date: Friday, April 30, 2021 10:16:08 AM

Chucks legal opinion. 1 of 2 related e-mails

From: Chuck Kramer <ckramer@bmvlawyers.net>
Sent: Tuesday, April 20, 2021 5:11 PM
To: Dipietro, James <JDIPIETRO@broward.org>
Subject: Certification of Alex Corrales

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Jim,

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On April 19, 2021, Corrales received correspondence from the CILB advising that his submission had been red flagged for certain issues.

Specifically:

1. Corrales had put the name of his current supervisor as Bill Tracy when in fact it should have been William Tracy.
2. Corrales had inadvertently put the City of Parkland as a qualifying employer when in fact the City of Parkland does not meet the

requirements for experience as set forth under state statute.

3. Corrales had put the name of his prior qualifying employer as “CC Homes” when in fact it was “CC Development.”
4. Corrales had failed to list sufficient work experience (5 years) although it is alleged that he does have the necessary work experience.

I have been advised that all of these issues have been addressed and clarified in Corrales’ most recent application which was submitted today (April 20, 2021) to the CILB. It is alleged that in direct communications with Corrales, the City of Parkland and the CILB, Corrales’s submissions are due to be approved on May 12, 2021. Your attorney was not a party to those communications and cannot confirm those communications took place.

Based on our review of the Code and actions by BCAIB and the Office of the Governor of the State of Florida, the we cannot agree that an extension of time of an additional 120 days is in order for Mr. Corrales to keep his temporary status as a Certified Structural Inspector.

FBC 104.16.12.1.2 specifically states:

113.12 Powers:

113.12.1 BORA may interpret the provisions of this Code to cover a special case if it appears that the provisions of this Code do not definitely cover the point raised or that the intent of this Code is not clear or that ambiguity exists in the wording: **but it shall have no authority to grant variances where the Code is clear and specific.**

See also Memo from Dan Lavrich re: Certification Requirements of Structural Inspector / August 20, 2020

It is not to say that BORA could not take the matter under consideration at its next meeting of May 13, 2021 ***if Mr. Corrales obtains his BCAIB certification before that date.***

We can only state that at this time, your attorney cannot agree to an extension

of time, a waiver, or “grant a variance where the Code is clear.”

Highest regards,

Charles M. Kramer | **BENSON, MUCCI & WEISS PL**

Florida Supreme Court Qualified Arbitrator

Florida Bar Board Certified in Construction Law

General Counsel to the Broward County Board of Rules and Appeals

General Counsel to the Broward County Building Certification Committee

5561 University Drive, Suite 103

Coral Springs FL 33067

Phone 954.323.1023 | Direct 954.947.2523

ckramer@bmvlawyers.net | www.bmvlawyers.net

cmk@ckramerlaw.com

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INITIAL CITY OF PARKLAND
REQUEST



CITY OF PARKLAND

BUILDING DEPARTMENT

6600 University Drive
Parkland, Florida 33067
Office: (954) 753-5447 • Fax: (954) 753-8838
www.cityofparkland.org

April 9, 2021

Mr. James DiPietro
Administrative Director
Broward County Board of Rules and Appeals

Re: request for extension of provisional license

Good morning, Jim

I hired a new inspector last year – Alejandro (Alex) Corrales.
He received his 120-day BORA license, and was approved by BCAIB for his State Provisional license in June, 2020.

In the meantime, we got hit with COVID-19.

Alex came to this department already authorized to test for his GC, and had passed his Business and Finance portion. He worked to pass his other two GC exams, but Pearson originally canceled all appointments on April 6, then re-opened almost 2 months later. The earliest he could schedule his second exam was September 16, 2020. He did also finally schedule exam 3, passing both the first time.

When I was notified that Provisional Licenses were extended by BCAIB an additional year due to COVID, I thought – incorrectly - the extension also applied to BORA's requirement of trade licensure. It was not until last week - when I received a phone call from Michael Guerasio and Jack Morell - that I learned the extension of the provisional license did not include an extension for the trade license.

It took Mr. Corrales some time to send his license application in to the CILB, because his hi-rise experience was in California and coordinating with his previous employer to get an affidavit signed was tedious. I believe Mr. Corrales can get his GC license in a matter of weeks, as he has passed all the required exams, and has gone through the CILB review process, needing only to submit some additional information to clarify his experience, which has been done today.

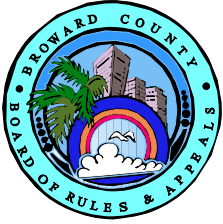
I request an extension of this local requirement. I understand you may need to present this to the Board, as this would be a policy amendment. Alex is a very bright young man, and a sharp, courteous inspector. He should not suffer due to my misunderstanding of the extension of the provisional license.

Sincerely,

Bill

William A. Tracy CBO CFM
Building Official
City of Parkland
Ph: (954) 757-4166
Email: wtracy@cityofparkland.org

Section 1c



BROWARD COUNTY

Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

To: Members of the Broward County Board of Rules and Appeal

From: Rolando Soto, Mechanical Chief Code Compliance Officer.

Date: May 13, 2021.

Subject: Request by City of Hollywood City Manager, Mr. Wasir Ishmael, to extend Interim Building Official Russell Long for a second 90 day period.

Recommendation

Approve a 90-Day extension requested by the City of Hollywood City Manager, Mr. Wasir Ishmael, to extent Interim Building Official Russell Long for a second 90 day period. The extension will expire on 7/5/2021.

Reasons

Due to Covid-19 the City of Sunrise the process hiring has taken longer than expected.

Additional information

1. Broward County Chapter 1 sections 104.3 and 104.3.1.
2. Request letter by City of Hollywood City Manager, Mr. Wasir Ishmael.

Respectfully Submitted,

Rolando Soto

A handwritten signature in blue ink, appearing to read "RSoto", is enclosed in a rectangular box.

Attachment #1

FBC CHAPTER 1 ADMINISTRATION—BROWARD COUNTY

104.3 Appointment of the Chief Electrical, Mechanical, Plumbing and Structural Inspector. As set forth herein:

Each appointing authority shall appoint a person qualified as set forth in the below Sections to serve as Chief Inspector in each discipline stated above. If there is one (1) Inspector (each discipline stated above) hired by an appointing authority in Broward County, that Inspector shall be a Chief Inspector (Chief or Head of the Division). The Chief Inspector (Chief or Head of the Division) does not have to be personally present at the governmental department as long as he or she is available and can perform their duties. To be eligible for appointment as a Chief Inspector (each discipline stated above), such person shall be certified by BORA.

104.3.1 Interim Chief Inspector. In the event that a Chief Inspector's employment is terminated with a jurisdiction, or is otherwise unavailable, an Interim Chief Inspector may be appointed for up to ninety (90) days while the Chief Inspector is being replaced with a permanent appointee. An approved application for a Chief Inspector must be submitted to BORA prior to the expiration of the ninety (90) days. The Interim Chief Inspector shall be qualified as a Chief Inspector as specified in Section 104.5, 104.6, 104.7 or 104.8 of this Code. BORA shall be notified in writing by the Building Official of the name and starting date of the Interim Chief Inspector. The name of the Interim Chief Inspector will be recorded by BORA but he or she will not be issued a certification card as the Chief Inspector.

Attachment #2

Office of the City Manager
Wazir A. Ishmael, Ph.D.
City Manager

APR 12 2021



tel: 954.921.3201

March 25, 2021

Mr. Jack Morell, Chief Structural Code Compliance Officer
Mr. Michael Guerasio, Chief Structural Code Compliance Officer
Broward County Board of Rules and Appeals
1 N University Drive #3500b
Plantation, Florida 33324

RE: Extension for Interim Chief Building Official

Gentlemen:

This letter is to request for an extension to Broward County's Board of Rules and Appeals for Russell Long to be Interim Chief Building Official at the City of Hollywood's Building Division for an additional 90 days. Russell Long, has been named Interim Building Official since January 4, 2021. Please let us know if there are any questions or concerns.

If you need further information, please contact me at (954) 921-3201.

Sincerely,

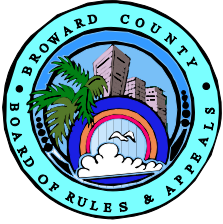
A handwritten signature in blue ink, appearing to read "Wazir Ishmael", is written over the typed name and title.

Dr. Wazir Ishmael
City Manager

c: Russell Long, Interim Chief Building Official

2600 Hollywood Boulevard
P.O. Box 229045
Hollywood, Florida
33022-9045
hollywoodfl.org

Section 1d



BROWARD COUNTY

Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

To: Members of the Broward County Board of Rules and Appeals.
From: Rolando Soto, Mechanical Chief Code Compliance Officer.
Date: May 13, 2021.
Subject: Request by City of Tamarac Building Official George Folles, to extend Interim Mechanical Chief for a second 90 day period.

Recommendation

That BORA approve by vote, the requested 90 day extension for the City of Tamarac Interim Mechanical Chief, for a second 90 day period. Currently Mr. Roman Sanchez is the Interim Mechanical Chief.

Reasons

Broward County's FBC Chapter 1, allows staff to grant only one 90 day period for an interim chief. See Attachment #1.

According to the attached email from City of Tamarac's Building Official, Mr. George Folles, the city is still in the hiring process for a permanent mechanical chief. Please see Attachment #2. Mr. Sanchez has been previously certified at different times as Mechanical Chief Inspector in Coconut Creek, Pembroke Pines, and Lauderdale Lakes.

Rolando Soto

A handwritten signature in blue ink that reads "RSoto".

Attachment #1

FBC CHAPTER 1 ADMINISTRATION—BROWARD COUNTY

104.3 Appointment of the Chief Electrical, Mechanical, Plumbing and Structural Inspector. As set forth herein:

Each appointing authority shall appoint a person qualified as set forth in the below Sections to serve as Chief Inspector in each discipline stated above. If there is one (1) Inspector (each discipline stated above) hired by an appointing authority in Broward County, that Inspector shall be a Chief Inspector (Chief or Head of the Division). The Chief Inspector (Chief or Head of the Division) does not have to be personally present at the governmental department as long as he or she is available and can perform their duties. To be eligible for appointment as a Chief Inspector (each discipline stated above), such person shall be certified by BORA.

104.3.1 Interim Chief Inspector. In the event that a Chief Inspector's employment is terminated with a jurisdiction, or is otherwise unavailable, an Interim Chief Inspector may be appointed for up to ninety (90) days while the Chief Inspector is being replaced with a permanent appointee. An approved application for a Chief Inspector must be submitted to BORA prior to the expiration of the ninety (90) days. The Interim Chief Inspector shall be qualified as a Chief Inspector as specified in Section 104.5, 104.6, 104.7 or 104.8 of this Code. BORA shall be notified in writing by the Building Official of the name and starting date of the Interim Chief Inspector. The name of the Interim Chief Inspector will be recorded by BORA but he or she will not be issued a certification card as the Chief Inspector.

Attachment #2

From: [George Folles](#)
To: [Soto, Rolando](#)
Cc: [Roman Sanchez \(RSanchez@cgsolutions.com\)](#); [Joseph Jonda](#); [Dipietro, James](#); [Patrick Richardson](#)
Subject: RE: [EXTERNAL] Interim Mechanical Chief expiring.
Date: Tuesday, March 23, 2021 4:09:27 PM
Attachments: [image004.png](#)
[image006.png](#)

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Good Afternoon:

We have interviewed for the position and have 2 candidates returning Thursday for a second interview. I hope to make my decision by Friday. Knowing how long HR takes in the hiring process, I would require an Extension.

Respectfully,

George Folles CBO, CFM
Chief Building Official | Building Department
(954) 597-3420 | george.folles@tamarac.org
6011 Nob Hill Road, Tamarac, FL 33321

Building Department offices are closed to the public in response to the Coronavirus pandemic until further notice.

Building Department employees are working and available by phone at (954)-597-3420, and via email at permit@tamarac.org during normal business hours. We encourage you to visit our website at www.Tamarac.org/building and use our online services to: submit permits on line, view plan review comments, pay permits fees and schedule inspections when-ever possible.

For updates on the City's response to the Coronavirus, visit www.Tamarac.org/Coronavirus or call the Citizens Hotline at (954) 718-1800

From: Soto, Rolando <ROSOTO@broward.org>
Sent: Tuesday, March 23, 2021 4:06 PM
To: George Folles <George.Folles@tamarac.org>
Cc: Roman Sanchez (RSanchez@cgsolutions.com) <RSanchez@cgsolutions.com>; Joseph Jonda <JONDAJOSEPH@broward.org>; Dipietro, James <JDPIETRO@broward.org>
Subject: [EXTERNAL] Interim Mechanical Chief expiring.

Section 1e



BROWARD COUNTY

Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

To: Members of the Broward County Board of Rules and Appeals
From: Chief Mechanical Code Compliance Officer, Rolando Soto.
Date: May 13, 2021
Subject: Update of Mr. Manuel Barrera efforts to close out open permit to comply with Board of Rules and Appeals Policy 18-02 relating to closing out of open and ongoing projects.

Recommendation

That BORA accept Mr. Manuel Barrera's report by vote, and consider the matter closed.

Reasons

Mr. Manuel Barrera has worked diligently to close his initial list of open permits. Of the original 54 open permits, he has closed 53, or 98%. He has 1 permit pending to be closed.

Mr. Manuel Barrera has tried to engage the property owner where said permit is located on multiple occasions, however the owner has refused to cooperate.

Mr. Manuel Barrera has contacted the permit issuing department (Miami-Dade County). Miami Dade responded that the permit has expired and is now a code enforcement case.

Mr. Manuel Barrera was given staff approval on 12/2/2019 and BORA approval on 2/26/2020.

After the expiration of the 180 days granted by BORA Policy 18-02, Mr. Manuel Barrera requested an extension. BORA granted an extension of 83 days until September 30, 2020 at its meeting of July 9, 2020. BORA granted a second extension until its meeting on April 8, 2021 at its meeting of October 8, 2020. The April 2021 meeting was canceled.

Mr. Manuel Barrera's air conditioning contractor license is inactive, and there is no chance of Mr. Barrera applying for new permits.

Please note that Mr. Barrera also possesses a general contractor license. He has stated that even though this license is active, no permits or any other work are ongoing under it.

Additional information

Attached you will find the following documents.

1. 4.28.2021 Letter from Mr. Barrera.
2. DBPR inactive license receipt.
3. BORA Policy 18-02.

Respectfully submitted,

Rolando Soto

A handwritten signature in blue ink that reads "RSoto".

April 28, 2021

Mr. James DiPietro, Director
Board of Rules and Appeals
1 N. University Drive, Suite 3500B
Plantation, Florida 33324

RE: Open permits for Manuel Barrera

Dear Mr. DiPietro,

This letter will serve as a notice to BORA for an update on my current open permits. With bitter sweet emotions, I am happy to confirm that I have closed out all previously open permits except for one. The permit in question is open in Miami-Dade County. The permit was for a residential A/C equipment replacement in which the electrical disconnect required replacement at the time of installation. The owner approved the replacement with the condition that a separate electrical permit would be required. During the inspection, the county approved the mechanical portion but is requesting that an electrical permit be applied for with an inspection in turn holding up the mechanical approval.

We have attempted to contact the property owner on numerous occasions via phone and certified letters with no response. Several certified letters (which are attached with receipts to this letter) dating back as far as 2019 have been sent in an effort to close out this permit, once again with no response from the property owner.

In working with Miami-Dade County's Building Department, they have unfortunately not been able to provide any assistance other than to have me follow their procedures for filing a Hold Harmless. I have also attached the email conversation regarding their request and response. Since the date of this letter, another certified letter was sent to the homeowner and returned as received. We are currently awaiting to send the second letter as requested by MDC once the 10-15 days apart come due.

I strongly feel that I have exhausted all avenues and made the best possible effort to work with the MDC and the homeowner to close out this permit. At this point I find it very difficult to estimate when this permit will be closed out. Once again, I am very appreciative to BORA for their patience and time.

Please feel free to contact me directly at 954-828-4226 or mbarrera@fortlauderdale.gov should there be any further information required.

Sincerely,



Manuel Barrera

Data Contained In Search Results Is Current As Of 05/03/2021 02:07 PM.

Search Results

Please see our [glossary of terms](#) for an explanation of the license status shown in these search results.

For additional information, including any complaints or discipline, click on the name.

License Type	Name	Name Type	License Number/ Rank	Status/Expires
Certified Air Conditioning Contractor	BARRERA, MANUEL RAMON	Primary	CAC026413 Cert Air	Current, Inactive 08/31/2022
Main Address*: Private				
Certified General Contractor	BARRERA, MANUEL RAMON	Primary	CGC035945 Cert General	Current, Active 08/31/2022
Main Address*: Private				

[Back](#) [New Search](#)

*** denotes**

- Main Address - This address is the Primary Address on file.
- Mailing Address - This is the address where the mail associated with a particular license will be sent (if different from the Main or License Location addresses).
- License Location Address - This is the address where the place of business is physically located.

[2601 Blair Stone Road, Tallahassee FL 32399](#) :: Email: [Customer Contact Center](#) :: Customer Contact Center: 850.487.1395

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SUBJECT: Board Policy #18-02 - Design Professional and Contractor requirements to become a certified inspector, as it relates to the closing out of open and ongoing projects.

POLICY:

This policy applies to all individuals that seek certification through Broward County Board of Rules and Appeals ("BORA") to be certified as a building code professional. Any code professional (such as but not limited to engineers, architects or structural, plumbing, mechanical, or electrical contractors) who are required to hold or who otherwise holds a Certificate of Competency ("Certificate") or Professional License ("License") in any area of construction shall not use that Certificate or License to engage in free enterprise thereby competing against persons or firms whose work he may also inspect, nor may this individual allow their Certificate or License to be used by another person or firm.

Per Florida Statute 71-575 (4)b, commencing with the time of application submission, an applicant is prohibited from engaging in free enterprise including but not limited to bids, proposals, contracts, permits, etc. The applicant shall be required to provide a detailed list of all open and ongoing projects currently under construction which will include information such as the municipality they are located within, the existing permit number and the time frame in which the project will be completed. This time frame shall not exceed a 180 days period from the time the application for certification was submitted to BORA.

If this 180 days' time frame is required to be extended, a written request shall be submitted to the Director of the BORA no later than 30 days prior to the expiration of the 180 days period. This request for extension will be reviewed by the Board of Rules and Appeals ("Board") for approval at the next, upcoming meeting. An extension, if granted will be set by the Board depending on circumstances, unless the Board does not meet that month in which case the Administrative Director may extend the time frame until the next scheduled meeting. All extensions beyond this point shall follow the same notification rule as mentioned previously and shall be reviewed and voted on by the Board on a case by case basis.

Florida Statute 71-575 (4)b

Any inspector (such as and including but not limited to structural, engineering, plumbing, mechanical, or electrical) or other building official charged with enforcing or otherwise supervising or inspecting any work covered under any section of the South Florida Building Code as applicable to Broward County pursuant to Chapter 71-575, Laws of Florida, and who is required to hold or who otherwise holds a Certificate of Competency in any area of construction shall not use that Certificate of Competency to engage in free enterprise thereby competing against persons or firms whose work he may also inspect, nor may he allow his Certificate of Competency to be used by another person or firm.

G:\SHARED\Policies & Procedures\2018\BORA Policies\18-02 Certification requirement for DesignProfNcontract.docx

From: [Dipietro, James](#)
To: [Joseph, Jonda](#); [Curry, Brianna](#); [Boselli, Ruth](#)
Cc: [Soto, Rolando](#)
Subject: FW: [-EXTERNAL-] Closing open permits
Date: Monday, April 5, 2021 10:37:14 AM
Attachments: [image002.png](#)

For agenda folder please.

From: Manuel Barrera <MBarrera@fortlauderdale.gov>
Sent: Monday, April 5, 2021 10:24 AM
To: Soto, Rolando <ROSOTO@broward.org>
Cc: John Travers <JTravers@fortlauderdale.gov>; Andres Vera <AVera@fortlauderdale.gov>; Dipietro, James <JDIPIETRO@broward.org>
Subject: Re: [-EXTERNAL-] Closing open permits

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Good morning Mr. Soto,
Thank you for the heads up on the reschedule for the board meeting. At the current time there has been no new developments on the status of my open permit as of the last update I provided to Mr. Dipietro on March 5th.
I will provide any new updates should they develop by April 29th.

Best regards,

Manny Barrera
City of Fort Lauderdale
Mechanical Inspector
954-828-4226

On Mar 31, 2021, at 10:18 AM, Soto, Rolando <ROSOTO@broward.org> wrote:

<image001.gif>

Good morning Mr. Barrera.

The April Board meeting has been canceled. We will have a meeting on May 13, 2021. Please, provided us with an update on your remaining open permit for Board review and action by April 29.

Respectfully,

Rolando Soto
Mechanical Chief Code Compliance Officer
Broward Co. Board of Rules and Appeals
1 N University Dr. Suite 3500B
Plantation Fl 33324
954-765-4500
<http://www.broward.org/CodeAppeals/Pages/Default.aspx>
<image002.png>

STRONGER CODES MEAN SAFER BUILDINGS
~ESTABLISHED 1971~

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From: [Dipietro, James](#)
To: [Boselli, Ruth](#); [Curry, Brianna](#)
Cc: [Soto, Rolando](#)
Subject: RE: Draft --BORA Agenda May 13
Date: Friday, April 9, 2021 3:07:10 PM
Attachments: [image001.png](#)

Please add to the draft. Thank you.

From: Soto, Rolando <ROSOTO@broward.org>
Sent: Friday, April 9, 2021 2:29 PM
To: Dipietro, James <JDIPIETRO@broward.org>; Boselli, Ruth <RBOSELLI@broward.org>; RULES <RULES2@broward.org>
Subject: RE: Draft --BORA Agenda May 13

The Manuel Barrera's item about 1 pending open permit.

Rolando Soto
Mechanical Chief Code Compliance Officer
Broward Co. Board of Rules and Appeals
1 N University Dr. Suite 3500B
Plantation FL 33324
954-765-4500
<http://www.broward.org/CodeAppeals/Pages/Default.aspx>



STRONGER CODES MEAN SAFER BUILDINGS
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From: Dipietro, James <JDIPIETRO@broward.org>
Sent: Friday, April 9, 2021 1:24 PM
To: Boselli, Ruth <RBOSELLI@broward.org>; RULES <RULES2@broward.org>
Subject: FW: Draft --BORA Agenda May 13

Ruth, so far so good.

Staff, do you have comments or suggestions?

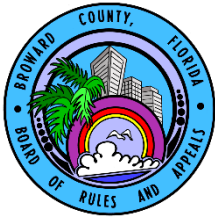
Thank you. Jim

954-931-2393

From: Boselli, Ruth <RBOSELLI@broward.org>
Sent: Friday, April 9, 2021 1:05 PM
To: Dipietro, James <JDIPIETRO@broward.org>
Cc: Curry, Brianna <BCURRY@broward.org>
Subject: RE: Draft --BORA Agenda May 13

Jim here is a new draft where I think I included all your reviews. Titles may still need a re wording .
Thank you, Ruth

Section 2



BROWARD COUNTY BOARD OF RULES AND APPEALS

ONE NORTH UNIVERSITY DRIVE
SUITE 3500-B
PLANTATION, FLORIDA 33324

PHONE: 954-765-4500
FAX: 954-765-4504

www.broward.org/codeappeal

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P.E., S.I., SECB, F.ASCE, F.SEI
Structural Engineer

Vice-Chair

Mr. Stephen E. Bailey, P.E.
Electrical Engineer
Mr. John Famularo,
Roofing Contractor
Mrs. Shalanda Giles Nelson,
General Contractor
Mr. Daniel Rourke
Master Plumber
Mr. Gregg D'Attile,
Mechanical Contractor
Mr. Ron Burr
Swimming Pool Contractor
Mr. John Sims,
Master Electrician
Mr. Dennis A. Ulmer
Consumer Advocate
Mr. Abbas H. Zackria, CSI
Architect
Mr. Robert A. Kamm, P.E.
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Vacant

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General Contractor
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Electrical Engineer
Mr. James Terry,
Master Plumber
Mr. David Tringo,
Master Electrician
Mr. William Flett,
Roofing Contractor

Board Attorney

Charles M. Kramer, Esq.

Board Administrative Director

James DiPietro

—ESTABLISHED 1971—

To: Members of the Board of Rules and Appeals
From: John Morell Chief Structural Code Compliance Officer
Date: April 8th, 2021
Subject: Special Inspector Form

Recommendation:

It is Staff's request for the Board of Rules and Appeals to approve the modifications to the Special Inspector form to be used throughout Broward County.

In the acknowledgement section of the form, the owner's signature space has been removed from the form. In addition, spacing has been adjusted to allow for the permit holder's signature and date. Also, a space was added for the Special Inspector's seal and date.

In addition, more space is allotted to separate the building official's signature and date line.

Reason:

Board Attorney, Mr. Chuck Kramer Advisory Opinion of February 19, 2021 opined that the owner's signature is not required on the Special Inspector Form.

Additional Information:

By removing the owner's signature line from this form, it will lessen the confusion throughout the county of whether or not the owners signature is required.

Jack Morell

John (Jack) Morell, Chief Code Compliance Officer

MARK S. MUCCI, P.A.
Certified Civil Mediator

5561 NORTH UNIVERSITY DRIVE, SUITE 102
CORAL SPRINGS, FLORIDA 33067

BROWARD (954) 524-6800
WWW.BMWLAWYERS.NET

BRAD R. WEISS, P.A.
Board Certified in Construction Law
Also Admitted in Michigan

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(1929-2013)

BRIAN ABELOW

CHARLES M. KRAMER
OF COUNSEL
Board Certified in Construction Law

MATTHEW D. COHEN
Senior Associate
Also Admitted in New York

February 19, 2021

**ADVISORY OPINION AS TO REQUIREMENT FOR
OWNER SIGNATURE ON FORM FOR SPECIAL INSPECTOR**

You have asked your attorney to review the law with respect to the Form for "Special Building Inspector" which is used by Building Departments throughout Broward County with respect to any requirement for an Owner's signature in conjunction with submission of same.

RULE

I. Florida Building Code Sec 110 et. al.

We would first note that FBC Sec 110 pertains to Inspections and that FBC Sec. 110.10 specifically addresses requirements associated with Special Building Inspectors as set forth below::

110.10 Special Building Inspector.

110.10.1 The Building Official upon the recommendation of the Chief Structural Inspector or upon the Building Official's initiative may require the owner to employ a special inspector for the inspection of the structural framework, or any part thereof, as herein required:

110.10.1.1 Buildings or structures or part thereof of unusual size, height, design or method of construction and critical structural connections.

1. Placement of Piling
2. Windows, glass doors, external protection devices and curtain walls on buildings over two stories.
3. The method or pace of construction requires continuous inspection.

4. In the opinion of the Building Official, any other additional inspections that are required.

110.10.2 The Building Official shall require the owner to employ a special building inspector for the inspections herein required:

110.10.2.1 Precast Concrete Units

110.10.2.2 Reinforced unit masonry

110.10.2.3 Connections

110.10.2.4 Metal Building Systems

110.10.2.5 Smoke Control Systems

110.10.3 The person employed by the owner as a Special Building Inspector shall be subject to verification of qualifications by the Chief Structural Inspector or Chief Mechanical Inspector, as applicable.

110.10.4 The Chief Structural Inspector or Chief Mechanical Inspector, as applicable shall require that the Architect or Engineer of record submit an inspection plan which shall specify the scope and nature of inspections to be performed. The special building inspector or their authorized representative shall make all inspections in accordance with the approved inspection plan.

110.10.5 Special building inspector shall be an Architect or Engineer or their duly authorized representative.

Exception 1: Building Inspectors (structural) certified by BORA who have satisfactorily completed an approved masonry course may perform inspections of Reinforced Unit Masonry and any precast lintels incorporated into such masonry for Group R-3 Occupancy.

Exception 2: Special building inspector for Smoke control systems shall meet the qualifications required in FBC 909.18.8.2.

110.10.6 The special building inspector shall be responsible for compliance with the applicable portions of the permitted construction documents as delineated in the special building inspection plan and shall submit progress reports and inspection reports to the Chief Structural Inspector or Chief Mechanical Inspector, as applicable, for submittal to the Building Official. Structural inspections performed by the special building inspector shall satisfy the requirements for mandatory inspections by the FBC.

110.10.6.1 A log of all progress reports and inspection reports shall be maintained at the job site.

110.10.6.2 Signed and Sealed progress reports and inspection reports shall be submitted to the Chief Structural Inspector, or Chief Mechanical Inspector, as applicable; for submittal to the Building Official on a weekly basis.

Exception: The Chief Mechanical Inspector, and or Building Official shall determine the frequency for the submitting of progress reports for Smoke Control Systems.

110.10.6.3 The municipality shall monitor the progress of the special building inspector on a regular basis.

110.10.7 At the completion of the work, the special building inspector shall submit a signed and sealed Certificate of Compliance to the Chief Structural Inspector or Chief Mechanical Inspector, as applicable for submittal to the Building Official, stating that the work was done, substantially in accordance with the applicable portions of the permitted construction documents as delineated in the special building inspection plan. Exception: Reports for Smoke Control Systems shall comply with FBC 909.18.8.3 Reports, and FBC 909.18.8.3.1 Report filing.

ANALYSIS

Under the heading of “ACKNOWLEDGMENT” the form in question contains a signature block for “Owner’s Signature” and “Printed Name”[of Owner]. The form further cites “Section 110.10 - Broward County Administrative Code and the Florida Building Code, 7th Edition (2020).” We first note that neither the Florida Building Code nor the Administrative Code cite a signature requirement for this form.

Although section 110.10 of the FBC is mute as to an Owner’s signature requirement it does state that a Building Official may require an Owner to employ a special inspector (110.10.1 and 110.10.2). Section 110.10.2 also states “The Building Official shall require the owner to employ a special building inspector for” certain inspections, however there is no requirement for attestation or verification by the Owner. To the point on this section, the form specifically provides for all information on the Special Inspector including name, address, telephone, fax, and State of Florida registration#. This requirement is supported by the language of Section 110.10.3 which states that the person employed by the Owner may be subject to verification by the Chief Structural or

Mechanical Inspector. The Code also addresses that the Chief Structural or Mechanical Inspector “shall require” the Architect or Engineer to submit an inspection plan outlining scope and nature of inspections (110.10.4) and discusses exception for masonry training and fire qualifications (110.10.5). Section 110.10.6 discusses the log book and progress reports requirements as well as frequency of same. Section 110.10.7 addresses the submission of a signed and sealed certificate of compliance by the Chief Structural or Mechanical Inspectors. Specifically, the particular section states:

[T]he special building inspector shall submit a signed and sealed Certificate of Compliance to the Chief Structural Inspector or Chief Mechanical Inspector, as applicable for submittal to the Building Official, stating that the work was done, substantially in accordance with the applicable portions of the permitted construction documents as delineated in the special building inspection plan.

Our review of the Florida Administrative Code and the Florida Building Code 110.10 as set forth above clearly shows that there is no requirement for an Owner’s Signature on the form, and in so saying, an Owner’s Signature is not required .

PERSPECTIVE

Your attorney notes that the form under review requires both Telephone and Fax numbers. Many of the forms which we are asked to review ask for the same information but a great number have no space for emails. On information and belief, a large number of documents in use by the local building departments are in excess of twenty (20) years old and are no longer reflective of current technology or changes in the law. This may be an area for consideration by the Board of Rules and Appeals.

After consideration we believe it is possible that when this, and certain other forms were initially generated, the school of thought may have been that “it can’t hurt to get more signatures” and so signature lines were put in for good measure. It could also be that sometimes unnecessary conditions are repeated because people have a “We’ve always done it that way so we are going to continue doing it that way” mentality. Extra/ additional but unnecessary signatures are requested simply because that’s the way the last form was written yet nobody ever looked to see if it comports with the law. This type of “Department of Redundancy Department” thinking results in propagation of error and creates unnecessary hurdles, complicates procedure, and ultimately slows progress for

owners, contractors and municipalities alike. Such actions are neither effective nor proper administration of the Building Code.

CONCLUSION

Signature requirements attendant with this form are set forth in Section 110.10 of the Florida Building Code, Broward County Edition (7th Edition, 2020). As a matter of law, an Owner's Signature is not required on the FORM FOR SPECIAL BUILDING INSPECTOR in Broward County. We have previously addressed the prospect of different building departments asserting that they have authority to make special conditions, such as unnecessary signatures, a requirement in their jurisdiction and we cannot agree with such a position. There is one Florida Building Code for Broward County and the interpretation of local codes and ordinances is the province of the Board of Rules and Appeals, not the province of local building departments. See Special Act 71-575(3)(a) and 3(c); Section 9.02, Broward County Charter. *See also* State of Florida, Attorney General Opinion August 21, 2018. ¹



Charles M. Kramer, Esq.

**General Counsel to the Broward County
Board of Rules and Appeals**
Florida Bar Board Certified
Construction Lawyer
Florida Supreme Court Qualified Arbitrator
5561 University Drive, Suite 103
Coral Springs FL 33067
Phone 954.323.1023 | Direct 954.947.2523
ckramer@bmwlawyers.net

¹ It is the recommendation of your attorney that the Owner's signature block be removed from the form in question so as to minimize confusion and that a new line be located on the form for email addresses of all signatories

FORM FOR "SPECIAL BUILDING INSPECTOR"
SECTION 110.10 – BROWARD COUNTY ADMINISTRATIVE CODE
AND THE FLORIDA BUILDING CODE, 6th Edition (2017)

NOTICE TO PROPERTY OWNER:

You are hereby directed in accordance with Section 110.10.1 or 110.10.2 of the Broward County Administrative Code and the Florida Building Code to retain a Special Structural Inspector (A Florida Registered Architect or Licensed Engineer) to perform the following mandatory or discretionary inspections, as outlined in Section 110.10 of the Florida Building Code and submit progress reports, inspections reports, and a Certificate of Compliance to the Building Official as per Sections 110.10.6 and 110.10.7 of the Florida Building Code.

Note: The Building Official determines which discretionary inspections are to be delegated.

DATE: _____ IDENTIFICATION, CONTROL OR BUILDING PERMIT # _____
PROJECT NAME: _____
JOB ADDRESS _____ ZIP _____
LEGAL DESCRIPTION: _____ FOLIO # _____

A. MANDATORY INSPECTIONS TYPE BY CODE:

- 1) Precast Concrete Units – Section 110.10.2.1 Yes No
- 2) Reinforced Unit Masonry – Section 110.10.2.2 (per ACI 530.1-13-Level B Quality Assurance)*
*unless noted otherwise on plan Yes No
- 3) Connections – 110.10.2.3 Yes No
- 4) Metal System Buildings – Section 110.10.2.4 Yes No
- 5) Smoke Control Systems – Section 110.10.2.5 Yes No

B. DISCRETIONARY INSPECTION TYPE BY BUILDING OFFICIAL:

- 1) Building Structures or part thereof of Unusual Size, Height, Design or Method of Construction and
Critical Structural Connections – Section 110.10.1.1 Yes No
- 2) Windows, Glass Doors and Curtain Walls on buildings over two (2) stories – Section 110.10.1.1 Yes No
- 3) Pile Driving Only – Section 110.10.1.1 Yes No
- 4) Precast Concrete Units – Section 110.10.2.1 Yes No
- 5) Reinforced Unit masonry – Sections 110.10.2.2 Yes No
- 6) Other Yes No

C. MANDATORY DOCUMENTATION

- 1) Inspection schedule stating the specific inspection that will be made and at what phase of construction must be submitted with this application.
- 2) Progress Report/Inspection reports during construction in accordance with Section 110.10.6.
- 3) Certificate of Compliance must be submitted prior to the scheduling of the final building inspection, Section 110.10.7.

ACKNOWLEDGMENT

Owner's Signature: _____ Permit Holder's Signature: _____
Printed Name: _____ Printed Name: _____
License # (if applicable) _____

SPECIAL BUILDING INSPECTOR: _____

Registered Architect and/or Licensed Engineer Signature of Special Building Inspector, Embossed Seal AND Date

Printed Name of Special Building Inspector: _____

Address of Special Building Inspector: _____

State of Florida Registration # _____ Fax # _____ Telephone # _____

Date: _____

Building Official (or designated representative)

BE ADVISED THIS DOES NOT PRECLUDE YOU FROM OTHER MANDATORY INSPECTIONS IN THE CODE

**FORM FOR "SPECIAL BUILDING INSPECTOR"
SECTION 110.10 – BROWARD COUNTY ADMINISTRATIVE CODE
AND THE FLORIDA BUILDING CODE, 7th Edition (2020)**

NOTICE TO PROPERTY OWNER:

You are hereby directed in accordance with Section 110.10.1 or 110.10.2 of the Broward County Administrative Code and the Florida Building Code to retain a Special Structural Inspector (A Florida Registered Architect or Licensed Engineer) to perform the following mandatory or discretionary inspections, as outlined in Section 110.10 of the Florida Building Code and submit progress reports, inspections reports, and a Certificate of Compliance to the Building Official as per Sections 110.10.6 and 110.10.7 of the Florida Building Code.

Note: The Building Official determines which discretionary inspections are to be delegated.

DATE: _____ IDENTIFICATION, CONTROL OR BUILDING PERMIT # _____

PROJECT NAME: _____

JOB ADDRESS _____ ZIP _____

LEGAL DESCRIPTION: _____ PLOT # _____

A. MANDATORY INSPECTIONS TYPE BY CODE:

- 1) Precast Concrete Units – Section 110.10.2.1 Yes No
- 2) Reinforced Unit Masonry – Section 110.10.2.2 (per ACI 530.1-13-Level B Quality Assurance) Yes No
*unless noted otherwise on plan..... Yes No
- 3) Connections – 110.10.2.3..... Yes No
- 4) Metal System Buildings – Section 110.10.2.4..... Yes No
- 5) Smoke Control Systems – Section 110.10.2.5..... Yes No

B. DISCRETIONARY INSPECTION TYPE BY BUILDING OFFICIAL:

- 1) Building Structures or part thereof of Unusual Size, Height, Design or Method of Construction and Critical Structural Connections – Section 110.10.1.1 Yes No
- 2) Windows, Glass Doors and Curtain Walls on buildings over two (2) stories – Section 110.10.1.1 Yes No
- 3) Pile Driving Only – Section 110.10.1.1 Yes No
- 4) Precast Concrete Units – Section 110.10.2.1 Yes No
- 5) Reinforced Unit masonry – Sections 110.10.2.2 Yes No
- 6) Other..... Yes No

C. MANDATORY DOCUMENTATION:

- 1) Inspection schedule stating the specific inspection dates will be made and at what phase of construction must be submitted with this application.
- 2) Progress Report/Inspection reports during construction in accordance with Section 110.10.6.
- 3) Certificate of Compliance must be submitted prior to the scheduling of the final building inspection, Section 110.10.7.

ACKNOWLEDGMENT

Permit Holder's Signature: _____ Date: _____

Printed Name: _____

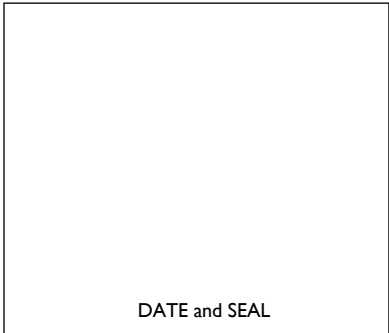
License # (if applicable): _____

SPECIAL BUILDING INSPECTOR: Registered Architect and/or Licensed Engineer

Signature of Special Building Inspector: _____

Printed Name of Special Building Inspector: _____

Address of Special Building Inspector: _____



State of Florida Registration # _____ Telephone # _____ Email _____

_____ Date: _____

Building Official (or designated representative)

BE ADVISED THIS DOES NOT PRECLUDE YOU FROM OTHER MANDATORY INSPECTIONS IN THE CODE

Section 3

From: [Dipietro, James](#)
To: [Morell, John](#); [Boselli, Ruth](#); [Curry, Brianna](#)
Cc: [RULES](#)
Subject: FW: Survey
Date: Tuesday, April 6, 2021 3:49:38 PM
Attachments: [Plan Review Survey.xlsx](#)

Hi Jack, sometime tomorrow please distribute to building officials your survey results.

Ruth and Brianna, please place in paper and electronic folders for the May BORA meeting.

Thank you. Jim

954-931-2393.

From: Dipietro, James
Sent: Tuesday, April 6, 2021 3:45 PM
Subject: FW: Survey

FYI

James DiPietro
Administrative Director
Broward County Board of Rules and Appeals
1 North University Drive, Suite 3500 B
Plantation, Florida 33324
954-931-2393

From: Morell, John <JMORELL@broward.org>
Sent: Monday, April 5, 2021 3:44 PM
To: Dipietro, James <JDIPIETRO@broward.org>
Subject: Survey

Attached is the latest survey of the cities in use for plan reviews,

Survey conducted to determine how the various jurisdictions are conducting business during the Covid Pandemic.

The survey requested the population of the jurisdiction, the capability of Electronic plan review, the ability to send plans electronically, determine if the department is open to the public, whether the jurisdiction would allow in house plan review and if plans could be removed from the office for review.

The results of the jurisdictions reporting.

38% have populations less than 50,000.

19% allow the plans to be removed from the office.
19% will permit in office plan review.
51% have electronic plan review capability.
Of those two jurisdictions are single discipline only
48% can send plans electronically.

The population is included to address the jurisdictions under 50,000 whom may need financial assistance to convert to a fully electronic department.

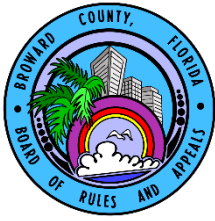
The cost of implementation of a electronic system at a minimum is \$120,000.00 to \$ 200,000.00 depending on weather additional hardware is needed plus \$100,000.00 per year for Maintenance.

This system is used presently 4-5 jurisdictions.

Respectfully

Jack Morell
Chief Structural Code Compliance Officer
Broward County Board of Rules and Appeals
954-765-4500 x 9887
jmorell@broward.org





BROWARD COUNTY BOARD OF RULES AND APPEALS

ONE NORTH UNIVERSITY DRIVE
SUITE 3500-B
PLANTATION, FLORIDA 33324

PHONE: 954-765-4500

FAX: 954-765-4504

www.broward.org/codeappeal

2021 Voting Members

Chair

Mr. Daniel Lavrich,
P.E., S.I., SECB, F.ASCE, F.SEI
Structural Engineer

Vice-Chair

Mr. Stephen E. Bailey, P.E.
Electrical Engineer
Mr. John Famularo,
Roofing Contractor
Mrs. Shalanda Giles Nelson,
General Contractor
Mr. Daniel Rourke
Master Plumber
Mr. Gregg D'Attila,
Mechanical Contractor
Mr. Ron Burr
Swimming Pool Contractor
Mr. John Sims,
Master Electrician
Mr. Dennis A. Ulmer
Consumer Advocate
Mr. Abbas H. Zackria, CSI
Architect
Mr. Robert A. Kamm, P.E.
Mechanical Engineer

Vacant

Representative Disabled Community
Mr. Sergio Pellecer
Fire Service Professional

2020 Alternate Board Members

Mr. Jeff Falkanger
Architect
Mr. Steven Feller, P.E.
Mechanical Engineer
Mr. Alberto Fernandez,
General Contractor
Mr. Robert Taylor
Fire Service

Vacant

Structural Engineer
Mr. David Rice, P.E.
Electrical Engineer
Mr. James Terry,
Master Plumber
Mr. David Tringo,
Master Electrician
Mr. William Flett,
Roofing Contractor

Board Attorney

Charles M. Kramer, Esq.

Board Administrative Director

James DiPietro

—ESTABLISHED 1971—

MEMORANDUM

DATE: April 19, 2021

TO: Jim DiPietro

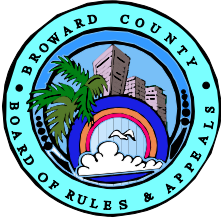
FROM: Jack Morell *jm*

The survey I conducted to determine the best method to decide how to gain access to the various jurisdictions to conduct plan reviews for the engineer to review structural calculations and myself for review during this time of Covid-19 crises.

Ninety eight percent of the jurisdictions responded,
56% are doing electronic plan reviews,
37.5% can send out the plans for review,
8% will allow paper plans to be taken out from their office and
34% will allow us into their departments to conduct plan reviews.

Jurisdiction	Population	Electronic Plan Review	Send Plans Electronically	Allow Paper Plans out of Office	Department Open for Plan Pickup/Review	Notes
Broward County	15,286	YES	YES	NO	NO	In Department review only
Coconut Creek	58,000	YES	YES	NO	NO	
Cooper City	35,500	NO	NO	YES	YES	
Coral Springs	129,000	YES	YES	NO	NO	
Dania Beach	30,000	YES	NO	YES	YES	Paper plans sign out
Davie	110,000	YES	YES	NO	NO	
Deerfield Beach	80,312	NO	NO	NO	YES	
Fort Lauderdale	182,437	YES	YES	YES	YES	
Hallandale Beach	50,000	YES	YES	NO	YES	
Hillsboro Beach						
Hollywood	160,000	YES	YES	NO	NO	
Lauderdale by the Sea	6,500	YES	YES	NO	NO	
Lauderdale Lakes	36,324	NO	NO	YES	YES	
Lauderhill	71,000	NO	NO	YES	YES	
Lazy Lake	24	NO	NO	NO	NO	Serviced By County
Lighthouse Point						
Margate	58,000	YES	YES	NO	NO	In process of going electronic
Miramar	141,326	NO	NO	YES	YES	Small Jobs only
North Lauderdale	43,830	NO	NO	YES	YES	
Oakland Park	45,339	YES	YES	NO	NO	Single Discipline Only
Parkland	35,000	NO	NO	YES	YES	
Pembroke Park	5,000	YES	YES	NO	NO	
Pembroke Pines	176,823	NO	NO	NO	YES	Single Discipline
Plantation	90,000	NO	NO	NO	NO	
Pompano Beach	110,062	YES	YES	NO	No	
Sea Ranch Lakes	695	NO	NO	NO	NO	Review in House
Southwest Ranches	8,000	YES	YES	NO	NO	
Sunrise	92,000	YES	YES	NO	NO	Electronic, Single Discipline Only
Tamarac	65,000	YES	YES	NO	NO	
West Park	15,000	NO	YES	NO	NO	Pvt.company,Electronic coming
Weston	71,438	YES	YES	NO	NO	Completely paperless
Wilton Manors	12,784	YES	YES	NO	NO	

Section 4



BROWARD COUNTY

Board of Rules & Appeals

1 North University Drive, Suite 3500B, Plantation, Florida 33324

To: Members of the Broward County Board of Rules and Appeals

Date: May 13, 2021

Re: FY 2022 Budget (October 1, 2021 – September 30, 2022)

RECOMMENDATION

It is recommended that the Board of Rules and Appeals authorize, by motion, an operating budget for Fiscal Year (FY) 2022 in the amount of \$2,298,620. This is the amount provided by Broward County in the "core budget" allocation for personnel services and operating expenses. In addition, the Board of Rules and Appeals is requested to approve \$74,975 for capital expenditures which includes \$60,000 for a second year of a grant to support small cities e-permitting between the cities and the county. Therefore, the total budget request is \$2,373,595. In comparing the FY21 adopted budget of \$2,361,350 with the FY22 requested budget of \$2,373,595 there is an increase of \$12,245 or 0.52%.

REASONS

As of April 2020, the Board of Rules and Appeals fund balance is officially \$8,546,830 and it is anticipated to increase this year by \$291,675 for a total of \$8,838,505 or about 3.4% by September 30th, 2021.

We agree with the County's Budget Office that the monies provided in the core budget and capital items requested are sufficient for operating purposes for the Board of Rules and Appeals for FY22.

ADDITIONAL INFORMATION

A. Revenue in General

Revenues continue to be sufficient to cover the expenses associated with each fiscal year. No rate increases are anticipated for the foreseeable future.

This belief results from our substantial financial reserves which are a result of the rate recommendation decisions that the Board of Rules and Appeals decided by a series of votes over the last 12 years.

A history of municipal fees received and projected for of recent history is listed below:

FY 2020	Actual	\$ 2,268,944
FY 2021	Estimated	\$ 2,208,750
FY 2022	Projected	\$ 2,325,000

B. Expenses in General

Personnel Services, including salaries and employee benefits, will be \$1,651,340 in FY22 compared to \$1,613,490 in the FY21 adopted budget. This represents an increase of \$37,850, or 2.3%.

Operating Expenses, in FY22 will be \$647,280 as compared to \$598,010 in the FY21 adopted budget, an increase of \$49,270 or 8.2%, primarily reflecting charges paid for services provided by Broward County.

The requested Capital Expense Outlay in FY22 is \$74,975 as compared to \$149,850 in FY21 a decrease of \$74,875, or 50.0%. This decrease is primarily the result of no monies being budgeted in FY22 due to the completion of the two years furniture replacement project and a large decrease in purchase of code books as we are in the middle of the three years code cycle. This year the program will continue with the 2nd year of the e-permitting grant program to small cities. This program will reimburse the cities for equipment necessary (\$7,500 x 8 local jurisdictions) to allow customer access for one-time non-recurring expenses to host county and city e-permitting system communication.

C. Forms and the Budgeting Process

Attached you will find standard forms requested by Broward County's Budget Office as part of their annual budget development process.

D. Conclusion

The recommended budget includes adequate funding for operating expenses and substantial reserves. Accordingly, the FY22 budget is submitted for your consideration and requested approval.

Respectfully Submitted,



James DiPietro



Program Proposal Text i

[Section Budget Summary](#) > Program Proposal Text

Scenario Budget	Entity SEC_201020_01	Version Program Proposals	Years FY22	Fund F_10035	Requests Core	
-----------------	----------------------	---------------------------	------------	--------------	---------------	--

[General](#)
[If Mandated](#)
[Outcomes and Goals](#)
[Fee Data](#)
[Revenue](#)

Contact Name	James DiPietro
Contact Phone	954-765-4500 x 9889 Cell 954-931-2393
Program Description	The responsibilities of the agency include reviewing inspections and plan reviews conducted by jurisdictional employees for compliance with both the County and State Building and Fire Codes as well as conducting random, requested, and investigative inspections to provide uniformity to the interpretation of the codes throughout Broward County. The agency conducts educational seminars to aid in the uniform enforcement of the building codes, fire codes, national electrical code, floodplain codes and many other referenced standards. Staff makes recommendations to the Board of Rules and Appeals on interpretations, appeals and also on amendments pertaining to the Florida Building Code and Fire Code and maintains certifications for approximately 900 building and fire inspectors, plans examiners and building officials.



Program Proposal Text i

[Section Budget Summary](#) > Program Proposal Text

Scenario Budget	Entity SEC_201020_01	Version Program Proposals	Years FY22	Fund F_10035	Requests Core	
-----------------	----------------------	---------------------------	------------	--------------	---------------	--

[General](#)
[If Mandated](#)
[Outcomes and Goals](#)
[Fee Data](#)
[Revenue](#)

If Program Mandated	20,907
Describe Essential Elements	Florida Statutes 71-575 and Section 9.02 of the Broward County Charter
Cite the Federal or State Law	
Cite Level of Service	



Program Proposal Text i

[Section Budget Summary](#) > Program Proposal Text



Scenario	Entity	Version	Years	Fund	Requests	
Budget	SEC_201020_01	Program Proposals	FY22	F_10035	Core	

[General](#)
[If Mandated](#)
[Outcomes and Goals](#)
[Fee Data](#)
[Revenue](#)

Program Outcomes	Uniformity of the application of the Florida Building Code in all Building Departments, including all life safety requirements. To have a well trained pool of certified inspectors.
Customers Served	NA
Utilization Data Spreadsheet	NA



Program Proposal Text i

[Section Budget Summary](#) > Program Proposal Text



Scenario	Entity	Version	Years	Fund	Requests	
Budget	SEC_201020_01	Program Proposals	FY22	F_10035	Core	

[General](#)
[If Mandated](#)
[Outcomes and Goals](#)
[Fee Data](#)
[Revenue](#)

	Name of Fee	Broward County Fee Data	Fee Data Comparison 1	Fee Data Comparison 2	Fee Data Com	Material Va	Year Fee up
Fee Data	Municipal Fee per \$1000 of construction cost	.52					2019
Fee 1	Municipal Fee per \$1000 of construction cost	.52					2019
Fee 2	Miami Dade		.60				

Revenues FY22		DEPT_20_10	All BudRefs	All Projects			
		FY20	FY21	FY22			
		Actuals	Budget	Budget			
		Final	Final	Working			
	Core	Core	Core				
	YearTotal	YearTotal	Total Rounded	Total Budget Request		NY Budget Minus CY Budget	\$ Increase Divide by CY Budget
						\$ Increase	% Increase
F_10035	Budgetary Only	8754540	9491880			-9491880	-100
F_10035	Total Revenue	8754540	9491880			-9491880	-100
F_10035	Salaries	1114729.48	1219290	1227920	1227920	8630	0.707788959
F_10035	Fringe	298138.51	394200	423420	423420	29220	7.412480974
F_10035	Total Personnel Service	1412867.99	1613490	1651340	1651340	37850	2.345846581
F_10035	Operating Expenses	400491.03	598010	647280	647280	49270	8.238992659
F_10035	Capital Outlay	152011.42	149850	67000	67000	-82850	-55.28862196
F_10035	Other Budgetary Reserves		8546830			-8546830	-100
F_10035	Total Non Personnel	552502.45	9294690	714280	714280	-8580410	-92.31518211
F_10035	Total Expense	1965370.44	10908180	2365620	2365620	-8542560	-78.31333916
Operating	Budgetary Only	8754540	9491880			-9491880	-100
Operating	Total Revenue	8754540	9491880			-9491880	-100
Operating	Salaries	1114729.48	1219290	1227920	1227920	8630	0.707788959
Operating	Fringe	298138.51	394200	423420	423420	29220	7.412480974
Operating	Total Personnel Service	1412867.99	1613490	1651340	1651340	37850	2.345846581
Operating	Operating Expenses	400491.03	598010	647280	647280	49270	8.238992659
Operating	Capital Outlay	152011.42	149850	67000	67000	-82850	-55.28862196
Operating	Other Budgetary Reserves		8546830			-8546830	-100
Operating	Total Non Personnel	552502.45	9294690	714280	714280	-8580410	-92.31518211
Operating	Total Expense	1965370.44	10908180	2365620	2365620	-8542560	-78.31333916

EXPENSES AND PERS. EXP FY 22 - WITH FY21 EOY PROJECTIONS

		FY19	FY20	FY21	FY22	FY21	FY22	FY22	
		Actuals	Actuals	Budget	Budget		Budget	Budget	
		Final	Final	Final	OMB Core	EST. 9-30-21	Working	Working	
		YearTotal	YearTotal	YearTotal	Ongoing		Ongoing	Comments	
Total Non Personnel		686165.8	552502.45	9294690	647280		647280		
F_10035	A_511010	Fleet Svcs-Motor Pool Chrgbk	25738.75	24983.67	26860	25540	26860	25540	
F_10035	A_511040	Cty Svcs-Print Shop		405	4000	4000	900	1100	Historical low usage
F_10035	A_512140	Professional Lobbyist service- Lobbytools	2868.76				4500	4500	Historically used for Lobbytools
F_10035	A_512660	Prof Svcs-Hosting Services- Municode		4442.29			4500	4500	Historically used for Municode
F_10035	A_512730	Prof Svcs-Software Supp-Maint-ZOOM	637.5	4185	4250	4250	4200	4250	
F_10035	A_512770	Prof Svcs-Temp Personnel	671.2	8285.94	36600	36600	12000	36600	
F_10035	A_519010	Airfare	314	-77			450		
F_10035	A_519020	Car rental cost		60.5			0		
F_10035	A_519030	Lodging	8603.28	3543.32			3000		
F_10035	A_519040	Tvl-Mileage	871.72	1438.65			350		
F_10035	A_519050	Tvl-Meals	2011	1144			1000		
F_10035	A_519060	Tvl-Oth Allowbl Incidntl Csts	3258.84	1127.14			700		
F_10035	A_519070	Tvl-Conference Registration	170	2020			2500		
F_10035	A_519080	Educational course fees	2856.13	49			2000		
F_10035	A_519TRV	Travel			28800	28800		28800	
F_10035	A_520010	Comm Svcs-Landline Svcs	163.83	216.17	230	220	230	220	
F_10035	A_520030	For wireless devices other than cellular phones and cellular phone services	2313.67				0		
F_10035	A_520040	Comm Svcs-E911 Dispatch			300	300	300	300	
F_10035	A_520080	Comm Svcs-Wireless-Cellular	1836.26	4691.19	4550	4700	4700	4700	
F_10035	A_522010	Frnt-Postage Cost	2406.45	1666.83	2800	2800	1750	2800	
F_10035	A_526010	Rntl-Lsg- Rental Office-Bldgs	81890	81900	81900	63400	81900	63400	
F_10035	A_526020	Rntl-Lsg- Other Equipment	7210.87	5168.52	7000	7000	7000	7000	
F_10035	A_530701	Oth Ins-Self Insurance	560	580	740	850	740	850	
F_10035	A_540050	RM-Equipment Maint			100	100	100	100	
F_10035	A_545010	Printing Services	1985.19	584.55	500	500	2000	2000	Reprinting of brochures
F_10035	A_546010	Prmtl Act-Advertising	5385.27	5212.16	2500	2500	4000	2500	
F_10035	A_547020	Chrg-Commissions and Fees	195008.54	91323.79	78000	78000	99000	82500	Trend of higher expenses
F_10035	A_547030	Chrg-Credit Card fees	63.61	12.18	200	200	25	200	
F_10035	A_552020	Cost Allocation Chargeback	111710	78320	59460	128300	59460	128300	
F_10035	A_552310	Office Supplies	11119.53	13159.52	12240	12240	12240	12240	
F_10035	A_556110	Professional Dues-Memberships	5255.76	3466.49	4730	4730	4730	4730	
F_10035	A_556120	Subscriptions	1678.28	418.27	1150	1150	1150	1150	
F_10035	A_556310	Training	177079.08	62163.85	241100	241100	65000	229000	Reallocated extra funds to accounts above
F_10035	A_560320	Replacement Equipment	8188.55	57624.22			8000		
F_10035	A_560340	Capital outlay for vehicles		25172			0		
F_10035	A_560370	Computer Hardware	9088.5	11094.54	60000		47500	2000	replace recording equipment laptop
F_10035	A_565010	Books and Lib Mat	14495.06	56428.89	89850		45000	15000	
F_10035	A_567010	Purchased Software	726.17	1691.77			1700	1700	
F_10035	A_597430	Reserve-Revenue Stabilization			8546830				
TOTALS		686165.8	552502.45	9294690	647280		509485	665980	

PERSONNEL EXPENSES		ESTIMATE FY 21	
510020	Sal-Other Executive		
510030	Sal-Regular Salary and Wages		0.00
TOTAL SALARY to date			1,152,164.00
510070	Sal-Adjustment		
510100	Sal-Overtime- Straight Time		800.00
510510	Frn-Medicare		79,668.00
510520	Frn-Retirement Contributions		111,882.00
510540	Frn-Group Insurance		144,396.00
510550	Frn-Basic Life Insurance		790.00
510570	Frn-Workers Compensation		9,025.00
510580	Frn-Unemployment Compensation		0.00
510600	Frn-Auto Allowance		5,400.00
510640	Frn-Social Security Taxes		19,715.00
TOTAL			1,523,840.00
PERSONNEL			2,033,325.00

rev FY22

EXPENSES FY22

		Core					
		FY19	FY20	FY21	FY22	FY22	
		Actuals	Actuals	Budget	Budget	Budget	
		Final	Final	Final	OMB Core	Working	
		YearTotal	YearTotal	YearTotal	Ongoing	Ongoing	FY22
							Budget
							Working
							Comments
	Total Non Personnel	686165.8	552502.45	9294690	647280	714280	
A_511010		25738.75	24983.67	26860	25540	25540	
A_511040			405	4000	4000	1100	Historical low usage
A_512140		2868.76				4500	Historically used for Lobbytools expenses
A_512660			4442.29			4500	Historically used for Municode
A_512730		637.5	4185	4250	4250		incorrect account used for lobbytools
A_512770		671.2	8285.94	36600	36600	36600	
A_519010		314	-77				
A_519020			60.5				
A_519030		8603.28	3543.32				
A_519040		871.72	1438.65				
A_519050		2011	1144				
A_519060		3258.84	1127.14				
A_519070		170	2020				
A_519080		2856.13	49				
A_519TRV				28800	28800	28800	
A_520010		163.83	216.17	230	220	220	
A_520030		2313.67					
A_520040				300	300	300	
A_520080		1836.26	4691.19	4550	4700	4700	
A_522010		2406.45	1666.83	2800	2800	2800	
A_526010		81890	81900	81900	63400	63400	
A_526020		7210.87	5168.52	7000	7000	7000	
A_530701		560	580	740	850	850	
A_540050				100	100	100	
A_545010		1985.19	584.55	500	500	2000	Reprinting of brochures
A_546010		5385.27	5212.16	2500	2500	2500	
A_547020		195008.54	91323.79	78000	78000	82500	Trend of higher expenses
A_547030		63.61	12.18	200	200	200	
A_552020		111710	78320	59460	128300	128300	
A_552310		11119.53	13159.52	12240	12240	12240	
A_556110		5255.76	3466.49	4730	4730	4730	
A_556120		1678.28	418.27	1150	1150	1150	
A_556310		177079.08	62163.85	241100	241100	233250	Reallocated extra funds to accounts above
A_560320		8188.55	57624.22				
A_560340			25172				
A_560370		9088.5	11094.54	60000		62000	increase of \$2000 for replacement of recording equipment laptop - 60,000 is for small cities grant
A_565010		14495.06	56428.89	89850		5000	reduced funds as this year is not the beginning of a new 3 year code cycle
A_567010		726.17	1691.77				
A_597430				8546830			

PERSONNEL INFO FY 22

Budget		Working		Core					
No_BL	No_PE	No_BL	No_PE	No_BL	No_PE	No_BL	No_PE	-	No_BL
BegBalance	BegBalance	BegBalance	BegBalance	BegBalance	BegBalance	BegBalance	BegBalance	-	Total Pay Element
Position_Status	Job_Class	Emp_Status	Incumbent	Emp_Number	Position_Cap	Salary Amount	Budgeted Salary	-	YearTotal
PN_10012	Active	R&A CHIEF CODE COMP OFF - Z9760	1-FT	Vinas, Otto A		1	123518	123518	160382.4976
PN_10382	Active	R&A CHIEF CODE COMP OFF - Z9760	1-FT	Castronovo, Kenneth		1	114760	114760	150020.032
PN_10418	Active	R&A CHIEF CODE COMP OFF - Z9760	1-FT	Morell, John A		1	105344	105344	138879.0208
PN_10695	Active	ADMINISTRATIVE SPEC - NA146	1-FT	Joseph, Jonda K		1	54484	54484	78701.4688
PN_12694	Active	R&A ADMIN DIRECTOR - Z9767	1-FT	Dipietro, James		1	169374	169374	218470.0288
PN_12695	Active	R&A CHIEF CODE COMP OFF - Z9760	1-FT	Soto, Rolando		1	125343	125343	162541.8376
PN_12855	Active	R&A ADMIN COORD II - Z9766	1-FT	Boselli, Ruth A		1	76446	76446	104686.9072
PN_13074	Active	R&A CHIEF CODE COMP OFF - Z9760	1-FT	Parks, C B		1	136339	136339	175552.3048
PN_13672	Active	ADMINISTRATIVE SPEC - NA146	1-FT	Kong, Maria P		1	50522	50522	74013.6304
PN_14467	Active	R&A CHIEF CODE COMP OFF - Z9760	1-FT	Guerasio, Michael R		1	117325	117325	153054.94
PN_15755	Active	ADMINISTRATIVE SPEC - NA146	1-FT	Curry, Brianna V		1	48868	48868	72056.6176
PN_17734	Active	R&A CHIEF CODE COMP OFF - Z9760	1-FT	De Carion, Timothy G		1	105595	105595	139176.004
Total Core Positions	Active		12			12	1227918	1227918	1627535.29



Revenue Input i



Requests Section_User_Variable
Core SEC_201020_01



				FY19	FY20	FY21	FY21	FY22
				Actuals	Actuals	Budget	Forecasted Revenues	Budget
				Final	Final	Final	Working	Working
				YearTotal	YearTotal	YearTotal	Ongoing	Ongoing
				10,542,869.52000	11,023,506	10,808,180	2,325,000	2,208,750
F_10030	A_405820	D_20102000	No_Program	17,206	23			
F_10035	A_405820	D_20102000	No_Program	3,692,440	2,268,944	1,316,300	2,325,000	2,208,750
	A_405880	D_20102000	No_Program	93				
	A_465515	D_20102000	No_Program	500				
	A_467010	D_20102000	No_Program	0				
	A_473025	D_20102000	No_Program	3,515				
	A_421120	D_20102000	No_Program	115				
	A_499005	D_20102000	No_Program			-70,810		9
	A_499010	D_20102000	No_Program	6,829,000	8,754,540	9,562,690		



Section Budget Summary i

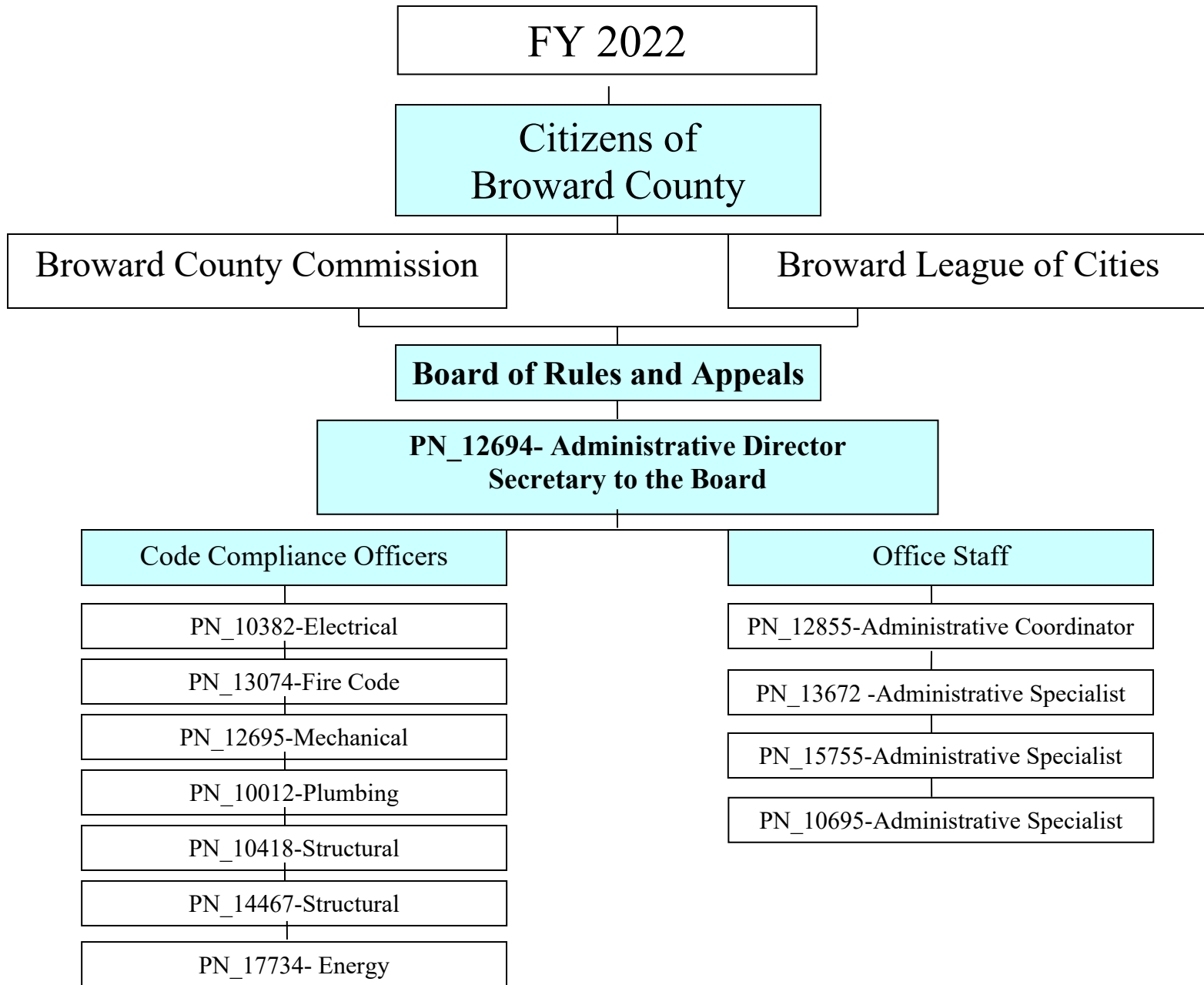
Requests Section_User_Variable
Core SEC_201020_01

		FY21	FY22	FY22		
		Budget	Budget	Budget		
		Final	OMB Core	Working		
		YearTotal	Ongoing	Total	\$ Increase	% Increase
F_10035	Total Revenues	10,808,180		2,208,750	-8,599,430	-1
	Salaries	1,219,290	1,227,920	1,227,918	8,628	0
	Fringe	394,200	423,420	423,427	29,227	0
	Total Personnel Service	1,613,490	1,651,340	1,651,345	37,855	0
	Operating Expenses	598,010	647,280	647,280	49,270	0
	Capital Outlay	149,850		67,000	-82,850	-1
	Other Budgetary Reserves	8,546,830			-8,546,830	-1
	Total Non Personnel	9,294,690	647,280	714,280	-8,580,410	-1
	Total Expense	10,908,180	2,298,620	2,365,625	-8,542,555	-1

**Broeard County Board of Rules and Appeals
Capital Budget Request FY 2022**

Capital Budget Request			
Account	FY 2022 - Request Justification	Unit	
560370 Computer Hardware			
	Replace recording equipment laptop		2,000
		7,500	60,000
	Reimbursements to Cities and the County for equipment necessary to allow customer access for one time non-recurring expenses (personnel, phones lines not eligible) to both city host e-permitting system and county e-permitting system, to also include outreach materials and signage.	Subtotal	62,000
565010 Books	15- loaner library for potential new inspectors and plans examiners	325	4,875
	3- loaner library program for Building Code Administrators	1,700	5,100
	Miscellaneous Publications for staff , State statutes, NEC, ICC Codes reference and standards		3,000
		Subtotal	12,975
		GRAND TOTAL	74,975

CORE FY 22 SUMMARY		DEPT_20_10	All BudRefs	All Projects			
		FY20 Actuals Final Core YearTotal	FY21 Budget Final Core YearTotal	FY22 Budget Working Core Total Rounded	Total Budget Request	NY Budget Minus CY Budget \$ Increase	\$ Increase Divide by CY Budget % Increase
F_10035	Budgetary Only	8754540	9491880			-9491880	-100
F_10035	Total Revenue	8754540	9491880			-9491880	-100
F_10035	Salaries	1114729.48	1219290	1227920	1227920	8630	0.707788959
F_10035	Fringe	298138.51	394200	423420	423420	29220	7.412480974
F_10035	Total Personnel Service	1412867.99	1613490	1651340	1651340	37850	2.345846581
F_10035	Operating Expenses	400491.03	598010	647280	647280	49270	8.238992659
F_10035	Capital Outlay	152011.42	149850	67000	67000	-82850	-55.28862196
F_10035	Other Budgetary Reserves		8546830			-8546830	-100
F_10035	Total Non Personnel	552502.45	9294690	714280	714280	-8580410	-92.31518211
F_10035	Total Expense	1965370.44	10908180	2365620	2365620	-8542560	-78.31333916
Operating	Budgetary Only	8754540	9491880			-9491880	-100
Operating	Total Revenue	8754540	9491880			-9491880	-100
Operating	Salaries	1114729.48	1219290	1227920	1227920	8630	0.707788959
Operating	Fringe	298138.51	394200	423420	423420	29220	7.412480974
Operating	Total Personnel Service	1412867.99	1613490	1651340	1651340	37850	2.345846581
Operating	Operating Expenses	400491.03	598010	647280	647280	49270	8.238992659
Operating	Capital Outlay	152011.42	149850	67000	67000	-82850	-55.28862196
Operating	Other Budgetary Reserves		8546830			-8546830	-100
Operating	Total Non Personnel	552502.45	9294690	714280	714280	-8580410	-92.31518211
Operating	Total Expense	1965370.44	10908180	2365620	2365620	-8542560	-78.31333916



Board of Rules and Appeals – Organizational Chart - Fiscal Year 2022

PERFORMANCE MEASURE FY22

	Working BegBalance	Final PM_Q4	Final PM_Q4	Formula Label Formula Label	Formula Label Formula Label	Working BegBalance
	PM_Measure Name	PM_Measure Value YTD	PM_Measure Value YTD	Prior Year Actual 2	Current Year Target	PM_Proposed Target
	FY22	FY18	FY19	Formula Label	Formula Label	FY22
	PM Development	PM Reporting	PM Reporting	Formula Label	Formula Label	PM Development
M_971	Number of appeals heard and resolved	5	1	1	5	4
M_972	Number of code changes approved by the Broward County Board of Rules and Appeals	30	398	398	50	15
M_973	Number of code interpretations approved by the Broward County Board of Rules and Appeals and staff	9200	8980	8980	10350	7336
M_974	Number of training seminars and training sessions presented	95	86	86	100	114
M_975	Number of Inspectors certified	1041	685	685	1045	950
M_1305	Number of technical advisory committee and subcommittee/workgroup sessions of the Florida Building Commission attended as a voting member	30	34	34	30	35
M_1306	Number of regularly scheduled certification visits by full Broward County Board of Rules and Appeals staff to building departments	21	18	18	21	21
M_1307	Number of call outs for building code compliance review requested by either building officials or chiefs for Broward County Board of Rules and Appeals code compliance staff	324	346	346	364	425
M_1866	Number of training sessions attended by Board of Rules and Appeals staff	288	280	280	324	378
M_2001	Number of complaints received leading to investigations	11	2	2	9	5

Section 5



**BROWARD COUNTY
BOARD OF RULES AND APPEALS**

1 North University Drive, Suite 3500B, Plantation, FL 33324
P: 954-765-4500 | F: 954-765-4504 | broward.org/CodeAppeals

TO: Broward County Board of Rules and Appeals
FROM: Administrative Director
DATE: May 13, 2021
SUBJ: Requested Pay Adjustment for Two Employees

RECOMMENDATION

It is recommended that BORA approve by motion, a 4% pay increase for two employees: Brianna Curry and Maria “Pat” Kong, Administrative Specialists, effective with the pay period that began on April 4, 2021 (the midpoint of the Broward County fiscal year). This action, if approved, would increase their annual salaries by \$1,947.58 (to \$50,628.32) and \$2, 013.23 (to \$52,341.95) respectively.

REASON

Merit Pay for Brianna Curry. Brianna joined the Board of Rules and Appeals staff in July 2017. Since the second quarter of 2018, Brianna has been responsible for the quarterly electronic newsletter. Brianna does an outstanding job with the newsletter and with her regular responsibilities.

Merit Pay for Maria “Pat” Kong. Pat joined the Board of Rules and Appeals staff in May 2016. In July 2020 we started an aggressive program of encouraging and allowing the cities to pay the monthly municipal fees electronically. Since July, 6 cities have been added to the program that previously only included the Broward County government. Pat does an outstanding job with the electronic payment system and with her regular responsibilities.

ADDITIONAL INFORMATION

Per existing Broward County Board of Rules and Appeals policy, employees may reach the top of their pay range on a merit basis between 13 and 14 years of service. The pay range for the Administrative Specialist position is \$44,385.33 to \$71,038.59. Raises are usually effective in the month of October each year. Effective October 2022, Pat will have 9 years remaining and Brianna will have 10 years remaining to reach the top of the pay plan.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "James DiPietro".

James DiPietro