

**City of Loveland
Meeting of the Construction Advisory Board
October 28, 2015**

**City Council Chambers
500 East 3rd Street
6:00 PM**

THE CITY OF LOVELAND DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION, RELIGION, AGE, NATIONAL ORIGIN OR ANCESTRY IN THE PROVISION OF SERVICES. FOR DISABLED PERSONS NEEDING REASONABLE ACCOMODATIONS TO ATTEND OR PARTICIPATE IN A CITY SERVICE OR PROGRAM, CALL 962-2303 OR TDD 962-2620 AS FAR IN ADVANCE AS POSSIBLE.

I. CALL TO ORDER:

II. APPROVAL OF MINUTES: from August 26, 2015 (draft) and September 23, 2015 (draft)

Anyone in the audience will be given time to speak to any item on the Agenda. Please ask for that item to further discuss. You will be given an opportunity to speak to the item before the CAB acts upon it.

Anyone making a comment during any portion of tonight's meeting should come forward to a microphone and identify yourself after being recognized by the Chairperson.

Please do not interrupt other speakers. Side conversations should be moved outside the Council Chambers. Please limit your comments to no more than ten minutes.

III. REPORTS:

- a. Citizens
- b. Board/Commission Members
- c. City Council Liaison: John Fogle
- d. Staff: John Schumacher, Chief Building Official

IV. NEW BUSINESS:

- a. Bill Cahill, City Manager – Presentation on duties and functions of Construction Advisory Board
- b. Schumacher, Chief Building Official – Suggested Code Amendment Modifications

V. OLD BUSINESS:

- a. Other business items
- a. AJOURNMENT

The new password for the COLGuest account is **accesswifi**

City of Loveland Construction Advisory Board
Meeting Minutes
August 26, 2015

Roll Call:

Board Members Present: Jason Baker, Andrew Ross, Blaine Rappe, Roger Lewis, Christopher Rosenberger, Keith Benner, David Stamps, Bob Dehn, Adam Trainer

Board Members Absent: None

City Staff Members Present: John Schumacher, Shana Zimmerschied, Jim Lees, Amanda Dwight

City Council Members Present: John Fogel

I. Call to Order: Chairman Christopher Rosenberger called the meeting to order at 6:03 PM

II. Approval of Minutes:

A motion was made by Roger Lewis and seconded by Bob Dehn to approve the minute as is. The motion passed unanimously.

III. Reports:

a. Citizen: None

b. Board and Commission Members: None

c. Council Liaison: South Catalyst project under contract will be moving forward without Morgan properties. Twelve different development groups for possible involvement with South Catalyst project. First meeting will be held September 1st, 2015.

d. Staff: John Schumacher reported the Building Division will be extending business hours from 8am-5pm to 7am-5pm effective September 8th, 2015. The vacant positions for Plan Review and two Building Inspectors will be interviewed for next week. John also explained that plan review is taking an average of 19+ days. There are also new policies on inspections that are posted on the website and email/mailings to contractors to follow. John asks that Construction Advisory Board members please remember to bring their name plates to meetings.

IV. New Business:

- a. Jim Lees, Utility Accounting Manager presented 2016 Water & Power Impact Fees. The method used to calculate these fees is the equity buy in approach as shown in the power point presented. The residential system impact fee (SIF) for water would increase 6.1% or a total of \$280. The residential system impact fee (SIF) for water/wastewater would increase 2.4% or a total of \$60. The residential plant investment fee (PIF) for electric would increase 9% or a total of \$120. Andrew Ross questioned how these fees will affect existing homes. Jim Lees explained that existing dwellings will not be affected as this fee is charged up front with the building permit however non residential fees are charged per kilowatt hour usage fee rather than a PIF with the building permit. Andrew Ross questioned how line 12 of the water SIF calculation slide was figured. Jim Lees explained that the average $\frac{3}{4}$ " residential water meter equals one single family equivalent while the 1" commercial meter averages to 5 single family equivalent and upward from there. John Fogle described possible upcoming regulatory changes on the state and federal level that will drive up impact and usage fees. Debt will begin being incurred by the City of Loveland. A motion was made by Bob Dehn to bring Utility Impact Fee Proposals for 2016 to City Council and seconded by Jason Baker. The motion passed unanimously.
- b. Bob Skillman, chair for Loveland-Berthoud association of realtors and Barbara Koelzer discuss difficulty of finding and selling units in median price range due to fact that when one unit enters litigation a lien is placed on all other units and recommend the City of Loveland adopt a defects ordinance. David Stamps asks them to give a description of how to fix the problem and why realtors and not developers? Bob Skillman replies by saying that realtors are seeing it because they are unable to find property to sell for first time home buyers. There are no properties under 300k. They want to encourage developers to build condos by requiring mediation before going to court. Barbara Koelzer adds that an HOA can file suit without permission from other condo owners. The idea is for the owners to submit issues in writing to builders and builders must report back and to keep attorneys from taking over the process. Andrew Ross suggests this might be a bit overboard though he agrees owners should be protected by adding this to Articles of Incorporation for HOA's. John Fogle offered that the chances of taking on HOA's is small and requires a majority rule. He recommends city council takes the issue to study

session. Barbara Koelzer says it sets a process requirement and David Stamps responded by saying this only requires builders to respond, not to fix the issue. Chris Rosenberger asked if there has been any class action lawsuits in Loveland. Bob Dehn answered yes, but not currently because builders are not building condos due to the risk. They can't get insured. John Fogle suggest bringing this to study session. Keith Benner states that House Bill 1394 is what set this off. Exclusions for tract/multi family. If exclusions are on policy the ordinance doesn't matter. Architect Jim Cox suggests including insurance companies. Bob Dehn motions to send the issue to City Council and Blaine Rappe seconds. Motion carried.

V. Old Business: No discussion

- I. **V. Adjournment:** A motion was made by Blaine Rappe and seconded by David Stamps to adjourn the meeting at 7:36 PM. The motion passed unanimously.

City of Loveland Construction Advisory Board
Meeting Minutes
September 23, 2015

Roll Call:

Board Members Present: Jason Baker, Andrew Ross, Blaine Rappe, Roger Lewis, Christopher Rosenberger, Keith Benner, David Stamps, Bob Dehn, Adam Trainer

Board Members Absent: None

City Staff Members Present: John Schumacher, Shana Zimmerschied, Alan Krcmarik

City Council Members Present: John Fogel

I. Call to Order: Chairman Christopher Rosenberger called the meeting to order at 6:01 PM

II. Approval of Minutes:

Approval of minutes not completed during September meeting.

III. Reports:

a. Citizen: None

b. Board and Commission Members: None

c. Council Liaison: None

d. Staff:

1. John Schumacher reported that there are two vacancies on Construction Advisory Board and three applications have been received. John will work with board members to arrange interviews, coordinate times, and select new board members.

2. John Schumacher informed Construction Advisory Board that plan review times are currently behind due to increased volume. The current times are fairly consistent with other jurisdictions. Plan review position will be filled 9/25/2015 and in the following few weeks inspector positions will be filled at that time the Building Division will be fully staffed. Contractors are stating that they are hearing new requirements in the field, however these requirements are not new but have not been enforced consistently in the past. Blaine Rappe suggested an Open House to explain new changes and introduce new staff to builders. *For remainder of conversation regarding meeting see New Business b.

IV. New Business:

- a. Alan Krcmarik, Executive Fiscal Advisor, reported back to Construction Advisory Board regarding the CEF update that was presented to City Council September 22, 2015. City Council concluded to freeze fees for now as they are concerned that

lowering fees would push timelines for city projects out further than is desirable by council. Alan was directed to complete further study and council will reevaluate in early 2016.

- b. *Bob Dehn suggested hearing builders concerns and bringing back possible solutions to Building staff. This would be a separate meeting from the Open House, city staff should not be present so that builders and developers can speak without the fear of repercussions. Bob Dehn motioned that the meeting take place November 18th, 2015. Roger Lewis seconded motion.
- c. John Schumacher presented a memo regarding the discussion of adopted codes and amendments and possible actions related to these items. John stated that the 2015 code is published and some jurisdictions are adopting but others will skip to 2018. John asked the CAB if they wanted to adopt the 2015 icodes or discuss modification of amendments and adopting 2018 when published. It was decided to skip the 2015 code and modify the amendments. Present issues with the amendments are roofing requirements and like for like plumbing and HVAC installations. Jason Baker requested an itemized list of changes for amendments to be voted on in future meeting. Bob Dehn suggested that we also discuss these possible changes with builders prior to updating.

V. Old Business:

- a. John Schumacher reported his findings for Home Inspector Licensing. 42 states license and register at state level. No insurance or qualifications required. Two states require certification and verification. No other municipality in Colorado require the licensing of home inspectors. Andrew Ross suggested placing an article in the Utility Billing informational flyer informing citizens to be cautious. Jason Baker suggested posting the same information on the Building Division website.
- b. John Schumacher created a Statement of Support for Construction Advisory members to sign giving support to City Council to review Construction Defects Legislation at study session. In the future, John Schumacher will inform upper management of Construction Advisory Board actions.

VI. Adjournment: David Stamps respectfully communicated his resignation from the Construction Advisory Board and stated his desire to possibly rejoin the board in the future.

A motion was made by Jason Baker and seconded by Blaine Rappe to adjourn the meeting at 8:44 PM. The motion passed unanimously.

SUGGESTED ITEMS TO ADDRESS AS A PART OF CODE AMENDMENT MODIFICATIONS

1. Remove permit exemptions for roofs, furnaces, water heaters, pergolas over 120 square feet, windows
2. Filling in all blanks/design criteria within the codes
3. Clarify roofing requirements related to ice barrier underlayment, repair vs. replacement, sheathing
4. Clarify requirement for engineering of foundations and slabs supporting structural loads
5. Provide definitions in code for unclear items such as spaced decking
6. Amend design criteria to coincide with maps/data within the code, especially energy code data
7. Amend appeal process within codes to coincide with City process

POTENTIAL POLICY/PROCEDURAL CHANGES FOR CONSIDERATION/COMMENT BY CONSTRUCTION ADVISORY BOARD

1. Alteration of fee calculation – Fees are based on valuations derived from ICC table, which includes MEP's. These valuations are added individually, in addition to the ICC valuation, which is essentially a double valuation on some permits.
2. Establishment of set permit fees for small projects such as water heaters, furnaces, A/C's, windows, etc.
3. Establishment of fees for review of revisions, re-inspections and after hours or special inspections
4. Expanded valuation data to include smaller projects such as decks, water heaters, furnaces, etc.