

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

REGIONAL BUILDING COMMISSION MINUTES

April 23, 2020

2:00 p.m.

MEMBERS PRESENT: Chair Tom Strand, Colorado Springs City Council
Don Wilson, Mayor of Monument, Colorado

MEMBERS ABSENT: Vice Chair Mark Waller, El Paso County Commissioner

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

PROCEEDINGS:

1. CALL TO ORDER

The meeting was called to order at 2:05 p.m.

Jina Koulchitzka stated the Regional Building Commission meeting is being conducted virtually via a program called Microsoft Teams live events, which is accessible via Pikes Peak Regional Building Department's website Boards & Committees' page at: <https://www.pprbd.org/Information/Boards>, under Regional Building Commission, Upcoming Meeting Date: 4/23/2020 @ 2:00 p.m. (Online meeting link here).

The Colorado Open Meetings Law (COML) allows for participation in public meetings to occur electronically, given the definition of "meeting" at 24-6-402(1)(b), C.R.S. Is there an obligation to allow public participation in electronic meetings? Nothing in the COML itself requires that the public must be allowed to speak at meetings. The purpose of the COML is to allow the public to observe the transaction of public business. The extent to which a public body allows the public to speak is largely governed by local rules of procedure, and customs and practices.

Instructions for conducting the virtual meeting were provided.

Chair Strand introduced new Commission member, Don Wilson, Mayor of the Town of Monument, representing the five smaller jurisdictions.

2. CONSIDERATION OF THE FEBRUARY 27, 2020 MINUTES

A motion was made by Don Wilson to **APPROVE** the February 27, 2020 Building Commission Minutes as written, seconded by Tom Strand; the motion carried unanimously.

3. CHANGES/POSTPONEMENTS/NOTICE OF NEXT MEETING

May Regional Building Commission meeting date and time: Thursday, May 28, 2020, beginning at 2:00 p.m. at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs, Colorado 80910, Room 100-14, unless timely notice is given, with sufficient instructions for public participation, that the meeting will be conducted virtually.

Jina Koultchitzka noted, at this time, it is anticipated that the May 28, 2020 Regional Building Commission meeting will be conducted virtually, unless timely notice is given that the meeting will take place at the offices of the Department.

4. PUBLIC COMMENTS ON ITEMS NOT SCHEDULED ON THE AGENDA

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

There were no public comments.

5. ADVISORY BOARD REPORT

Jina Koultchitzka presented the Advisory Board Report.

6. BUILDING OFFICIAL REPORTS/NON ACTION ITEMS

a) Financial Statement through March 31, 2020

Ryan Johanson presented the financial statement for the month of March 2020. He gave some background regarding the Financial Statement for the new Building Commissioner, Don Wilson. He stated the revenue is money that is collected in advance of RBD performing its services and the expenditures that go along with those services until completed. He noted that commercial projects can last 18 to 24 months.

Mr. Johanson said the operating cash balance was \$14,588,959. He said the monthly revenue was \$1,330,662; he noted year-to-date that gives the Department 25 percent of the Budget, which is right on track with the 2020 Budget. Mr. Johanson stated the expenditures were \$1,157,598, which resulted in a gain of \$173,065 for the month of

March. He noted that there was a slowdown in March as a result of the current health situation and the “stay at home” orders. He added that the rent payment of \$580,560 was made in April, which is an annual payment, and such will be reflected in the April financials.

b) Building Report through March 31, 2020

Matt Matzen presented the Building Report for the month of March 2020. He said there were 409 detached single-family houses permitted in March, which was 49.27 percent more than this time last year. He stated there were 35 townhome permits, which was an increase of 133.33 percent; and year-to-date townhome permits have increased 65.57 percent. He stated there were 44 commercial building permits, which was 37.5 percent more than this time last year. Mr. Matzen said the total valuation of permits issued in March for residential homes was \$168,168,092, which was 49.19 percent more than this same time last year; and the total valuation of commercial permits issued was \$21,283,251, which was an increase of 33.43 percent over this same time last year. Mr. Matzen stated that the total valuation year-to-date across all permits was \$1,285,032,677, which is an increase of 98.79 percent. He said there were seven permits with a valuation over \$3 million in March.

c) Plan Report through March 31, 2020

Jay Eenhuis presented the Plan Review Report for the month of March 2020. There were 495 single family plans, which was an increase of 52 percent over the previous year; 95 new commercial plans, which was an increase of 239 percent; and a total of 1,296 plans for the month of March, which was an increase of 60 percent compared to March 2019. Mr. Eenhuis stated there were 277 commercial plans submitted electronically in March 2020, or a 204 percent increase compared to March 2019; and 437 residential plans submitted electronically, which was an increase of 208 percent; for a total of 1,035 e-plans in March 2020, a 149 percent increase from March 2019. He stated in March 80 percent of the plans were submitted electronically, noting that the Department has been physically closed to the public since March 16, 2020, so all plans have been submitted electronically since that time. In addition, year-to-date 64 percent of all plans have been submitted electronically. Mr. Eenhuis stated the Plan Review Department performed 2,658 solo reviews in March, and 1,184 walk-through reviews (from March 1 – 15, 2020), for a total of 3,842 logged reviews for March 2020, and 12,249 logged reviews year-to-date, which was an increase of 2 percent from the previous year.

d) Inspection Report through March 31, 2020

John Welton presented the Inspection Report for the month of March 2020. He said the inspectors in all departments did a total of 26,611 inspections in March, with a total of 68 field inspectors. He said each inspector averaged 20.1 inspections per day, and the

average available time per inspection was 18.7 minutes. Mr. Welton stated this is the highest number of inspections in March for the past 10 years; currently RBD staff is performing 1,129 inspections per day for the month of April.

7. UNFINISHED BUSINESS

There was no unfinished business.

8. NEW BUSINESS

a) Resolution 2020-2 (Electronic Signatures)

Jina Koulchitzka stated Resolution 2020-2 is specific to electronic signatures. She stated effective as of March 16, 2020, the Department commenced remote operations. She stated this Commission considered and approved a Resolution regarding the conduction of virtual meetings by the Department in the event of an emergency. The resulting Resolution presented today is in regard to electronic signatures. During the existence of an emergency, the Commission may promulgate regulations which the Commission deems necessary to protect life safety and welfare of the employees of the Department, the jurisdictions the Department serves, and the industry and communities thereof. The law specific to what allows the Commission and the Department to consider this Resolution is contained within the Resolution itself. She stated what is being considered is the ability to execute documents electronically specific but not limited to contracts for acquisition of services, supplies, equipment, or other assets, including purchase orders, change orders, amendments, and other related documents, internal requisitions, approvals of procurement requests, invoices and payments, stop work orders, certificates of alleged noncompliance, and any and all written notices, orders, decisions, resolutions or releases as generally issued by the Department during its normal governmental operations.

Ms. Koulchitzka stated the Department is going into week No. 5 of remote operations, and the Department is continuing to operate remotely without any interruptions whatsoever. She stated in order for the Department to remain sustainable, there is a need for electronic signatures. She stated the Commission is being asked to consider approval of this Resolution retroactively as of March 16, 2020, which is the date the Department commenced remote operations; and to approve any and all action that has taken place for the documents noted on the record, to keep the Department sustainable and operational. Ms. Koulchitzka stated there is a reference in the Resolution to two former resolutions that this Commission has already approved, specific to Resolutions 2019-1 and 2019-2 to remain in effect as-is. Resolution 2019-1 is in regard to the purchase of real estate; Resolution 2019-2 is specific to procurement of a contract for design and construction of a satellite facility; the Department currently has a pending RFP to procure those services.

A motion was made by Don Wilson to approve Resolution 2020-2, seconded by Tom Strand; the motion carried unanimously.

9. COMMISSIONER REPORT(S) OR COMMENT(S)

There were no Commissioner report(s) or comment(s).

Chair Strand asked what effect Governor Polis' order to move from a "Stay at Home" to "Safer at Home" would have on the Department. Roger Lovell stated the administrative staff of the Department has evaluated that requirement based on the current operations and service levels to include the risk to employees as well as the public, and most of all to include the efficiency of operations. The Department moved to remote operations effective March 16, 2020. Since that time, the Department has continued to review and accept plans, process license requests, conduct inspections, and continue all normal operations, but to do so remotely. Only the public facings of the Department have been closed to the public. He stated the Department staff has been very efficient and is doing a phenomenal job. He stated he is proud to say that there have not been any positive cases of COVID-19 within the employment staff.

Mr. Lovell stated currently the Department is operating very efficiently and a return to the office would not increase efficiency. In fact, it would potentially decrease efficiency through the requirements to use personal protective equipment for office staff and social distancing. Along with that, it also runs the risk of additional exposure. He stated with the Department's current workload, it is not in a position to lose a significant part of the workforce. If the Department had a positive case and we were working from the office, it could spread amongst the Department, at which point there would be a significant reduction in workforce. Mr. Lovell stated he does not believe a swift return to the office is in the best interest of the staff or the public. To reiterate, Mr. Lovell stated the Department is offering 100 percent of its services, but just doing so remotely. He stated the Department will continue to serve the public, but doing so in a responsible manner and also following the Governor's orders to do whatever can be done to work remotely, where possible; and continue to limit the spread of COVID-19. Mr. Lovell stated the Department is prepared for a downturn in the economy, as well as an increase in construction activity.

10. FUTURE AGENDA ITEM REQUESTS

There were no future agenda item requests.

11. EXECUTIVE SESSION REQUESTS

There were no Executive Session requests.

12. **ADJOURN**

The meeting adjourned at 2:55 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Roger N. Lovell".

Roger N. Lovell
Regional Building Official

RNL/lfg

Accommodations for the hearing impaired can be made upon request with forty-eight (48) hours' notice. Please call (719) 327-2989.

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