

MEMORANDUM



DATE: June 16, 2008

TO: Honorable Mayor and Council Members

FROM: Lillian Hare, City Clerk's Office
Tom Trimberger, Chief Building Official

SUBJECT: APPOINTMENT OF BOARD MEMBERS TO THE BUILDING BOARD OF APPEALS

RECOMMENDATION

Appoint the following people, for the recommended terms: Bill Dill, Gary Hatfield, Michael McDermott, David Richter, Marion Smith, Roger Stanton and Steven Trout as Members to the Building Board of Appeals; and appoint Kevin Wilcox as an Alternate to the Building Board of Appeals.

RESULT OF RECOMMENDED ACTION

Members will be appointed to serve on the Building Board of Appeals.

BACKGROUND

On December 17, 2007, by adoption of Ordinance 29-2007, the City Council authorized the creation of the Rancho Cordova Building Board of Appeals. The Building Board of Appeals hears appeals of administrative decisions on the application of the Building Codes, and the Uniform Code for the Abatement of Dangerous Buildings, in actions declaring certain structures or conditions therein sub-standard, unsanitary, or hazardous and requiring their consideration, rehabilitation, reconstruction, correction, or abatement as applicable. Board members weigh the professional input given in staff reports and reports from applicants and consultants in making decisions.

From March 31 through May 21, the City advertised and accepted applications for the Building Board of Appeals. We received eight applications for the five to seven member board. One of the applications was received after the deadline from a highly qualified candidate, Architect Kevin Wilcox.

Although, the term of office for Building Board of Appeals Members will normally be two years, the Building Official may initially set some one or three year terms to allow for staggered appointments. The Board will meet as needed.

After reviewing the applications, Chief Building Official Tom Trimberger has recommended the following appointments and terms:

Name	Experience/Background	Appointment	Term
Bill Dill	Architect	Member	2 years
Gary Hatfield	Public Member (Realtor)	Member	2 years
Marion Smith	Gen. Building (electrical, heating & air conditioning)	Member	2 years
Michael McDermott	Mechanical Engineer	Member	3 years
David Richter	General Contractor (commercial)	Member	3 years
Roger Stanton	General Contractor (residential)	Member	3 years
Steven Trout	Fire Service	Member	3 years
Kevin Wilcox	Architect	Alternate	2 years

As an Alternate, Mr. Wilcox will serve if one of the other Members of the Building Board of Appeals is unavailable for a meeting or otherwise becomes unable to serve on the Board.

Mayor Budge reviewed the applications and concurs with the Chief Building Official's recommendation.

ATTACHMENT

Rancho Cordova Administrative Code Section 105 – Board of Appeals

SECTION 105 - BOARD OF APPEALS

105.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the technical codes, there shall be and is hereby created a board of appeals.

105.2 Membership. The board shall consist of at least five and no more than seven members with a quorum being four members. The members of the board shall be appointed by the City Council.

Membership in the board shall be from individuals representing any of the following disciplines:

1. General contractor specializing in residential construction.
2. General contractor specializing in commercial construction.
3. Electrical contractor.
4. Mechanical contractor.
5. Plumbing contractor.
6. Electrical engineer.
7. Mechanical engineer.
8. Civil or structural engineer.
9. Architect.
10. Fire service representative.
11. Attorney.
12. Utility representative.
13. Public members-at-large.

No two members shall be of the same discipline listed above.

The board shall annually select a chairperson from its appointed members. The Chief Building Official shall be an ex-officio member and shall act as the secretary of the board of appeals.

105.3 Terms. Terms for members other than ex-officio or advisory of the board of appeals shall be for two years. Terms shall expire in alternate years. At initial formation, terms may be set for one or three years by the Building Official to create a staggering of terms expirations.

105.4 Vacancies. Vacancies shall be filled by appointment for the unexpired portion of the term.

105.6 Attendance. Any appointee member of the board of appeals who fails to attend three consecutive meetings of the board of appeals without notifying the secretary shall automatically lose membership thereon. It shall be the duty of the chairperson of the board of appeals to report to the City Council any appointee member who has failed to attend three consecutive meetings without such notification.

105.7 Secretary. The secretary shall have no vote except in the case of a tie vote.

105.8 Meetings. The board of appeals shall hold monthly meetings as needed.

105.9 Rules and Regulations. The board of appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official, with a copy to the applicant, and may recommend to the City Council such new legislation as is consistent therewith. Decisions and findings shall be filed in the office of the Building Official, for public inspection.

105.10 Granting Modifications. Whenever there are practical difficulties involved with carrying out the provisions of the Building, Electrical, Mechanical, Plumbing, and/or Swimming Pool codes of the City of Rancho Cordova, the board of appeals may grant modifications for individual cases, provided it is found that special circumstances make strict adherence to the code(s) impractical and that the modification is in conformity with the intent and purpose of the code(s) and that such modification does not reduce any