

CCCB Regular Meeting Transcript
July 18, 2024

WEBVTT

1 "" (0)

00:00:00.000 --> 00:00:06.087

Okay. Thank you.

2 "Marc Fetterman" (2652117760)

00:00:06.087 --> 00:00:22.260

So Casey you're right, we have nine, we can begin the meeting. It's 1037, and, i'm Mark Federman, the vice chair of the CCCB, and I'll call our.

3 "Marc Fetterman" (2652117760)

00:00:22.260 --> 00:00:52.988

18 July 2024 meeting to order. Let me pause for a 2nd and confirm with either Helen or Latrice that the, recording is running. This has. Great, thank you very much. I'm usually not this, helpful. I'll begin with a roll call if I may have board members. Mark Federman is here. Matt Borger.

4 "Matt Borger" (1583819008)

00:00:52.988 --> 00:00:55.111

Thank you, Michael.

5 "Marc Fetterman" (2652117760)

00:00:55.111 --> 00:00:56.749

Brown or as.

6 "Michael Brown" (236927488)

00:00:56.749 --> 00:01:00.814

That's Joel Kazi don't see him.

7 "Marc Fetterman" (2652117760)

00:01:00.814 --> 00:01:05.031

Yet Anthony Dale.

8 "Anthony Dale" (1020746496)

00:01:05.031 --> 00:01:06.922

Thank you. Mitchell can.

9 "Marc Fetterman" (2652117760)

00:01:06.922 --> 00:01:09.131

Yeah.

10 "mitchell kannry" (2978904064)

00:01:09.131 --> 00:01:11.172

Here. Thank you.

11 "Marc Fetterman" (2652117760)

00:01:11.172 --> 00:01:27.052

Mayordad. I don't see him on the list. I know he was back from vacation as of yesterday, so Harrison Miller, I'm here. Thank you. Keith Parson's present.

12 "Keith Parsons" (3124552448)
00:01:27.052 --> 00:01:29.151
Thank you. Jeff.

13 "Marc Fetterman" (2652117760)
00:01:29.151 --> 00:02:00.833
Freeze is on root. We're told Casey Studhalter, present. Thank you, Jeff Fiano. Present. Thank you. 789. Boom. Done. I call your attention to the meeting agenda and, ask for its adoption if I could have a motion and a 2nd.

14 "Michael Brown" (236927488)
00:02:00.833 --> 00:02:11.850
To adopt the agenda. Thank you. Thank you.

15 "Marc Fetterman" (2652117760)
00:02:11.850 --> 00:02:23.589
Wait a 2nd once you've gone through the agenda.

16 "Anthony Dale" (1020746496)
00:02:23.589 --> 00:02:25.514
2nd bit more. Thanks.

17 "Marc Fetterman" (2652117760)
00:02:25.514 --> 00:02:40.860
You Harrison. This is. Oh, sorry. My hearing is going with my age if you haven't already figured that out. You have a lot to look forward to.
Thank you.

18 "Marc Fetterman" (2652117760)
00:02:40.860 --> 00:03:00.860
All any objection to adopting the meeting minutes? So, we'll adopt them as presented. I call your attention to our 18 April 2024, regular meeting minutes, which are posted on the open DC government CCCB calendar.

19 "Marc Fetterman" (2652117760)
00:03:00.860 --> 00:03:24.050
And I distributed them to you, prior to the meeting and I'm sure that either Latrice or Helen, could bring up a copy for us to, look at on the screen. And if not, I can grab a copy pretty quickly.

20 "Marc Fetterman" (2652117760)
00:03:24.050 --> 00:03:35.190
Boom, there you go. Thank you.

21 "Marc Fetterman" (2652117760)
00:03:35.190 --> 00:03:55.190
Shall we, do you want to scroll through the minutes, for the benefit of those that may not have reviewed them in advance?

22 "Marc Fetterman" (2652117760)
00:03:55.190 --> 00:04:15.190
Okay, uh.

23 "Marc Fetterman" (2652117760)
00:04:15.190 --> 00:04:35.190
Okay, uh.

24 "Marc Fetterman" (2652117760)
00:04:35.190 --> 00:04:53.836
Okay, uh.

25 "Michael Brown" (236927488)
00:04:53.836 --> 00:04:56.459
Okay.

26 "Marc Fetterman" (2652117760)
00:05:14.539 --> 00:05:44.369
Yeah, I thank you once you've reviewed the minutes I would look forward to a motion and a 2nd to adopt the minutes.

27 "Marc Fetterman" (2652117760)
00:06:04.618 --> 00:06:29.329
Any objection to adopting the minutes as presented? Hearing none, the minutes are adopted. We have one code change which is a revision to a previously introduced code change and I know Michael there was a little bit of confusion over the right version, but between.

28 "Marc Fetterman" (2652117760)
00:06:29.329 --> 00:06:47.080
Between Ellen and Latrice and you if or I'd be happy to call up the, a version on the screen and then we can, go to page 87 and look at the proposed change.

29 "Michael Brown" (236927488)
00:06:47.080 --> 00:06:55.397
Patrice, you wanna put it up as well, please?

30 "LaTrease Christian" (1744562688)
00:06:55.397 --> 00:06:57.139
Yes, one moment.

31 "Marc Fetterman" (2652117760)
00:06:57.139 --> 00:07:29.229
Thank you, and while we're doing that for the benefit of the Latrice and Helen that helped so much with putting the minutes together, if, all people who are not board members could enter in the chat their affiliation, that would help us with the meeting minutes just as we've done in the past. The, only problem has been some months.

32 "Marc Fetterman" (2652117760)
00:07:29.229 --> 00:07:35.669
So I'm not thoughtful enough to request that.

33 "Marc Fetterman" (2652117760)

00:07:35.669 --> 00:07:57.879

Thank you. This is our previously approved chapter one of the building code, and if we could go to page 87, please, you'll see the change and then I'll turn this over to Mike Brown for a presentation.

34 "Michael Brown" (236927488)

00:07:57.879 --> 00:08:30.336

Hey Lutricia, do you need me to put it up on my screen? Oops, there you go. I couldn't see it before. Thanks. Okay. Okay, so this code change is to the appeal process during the neighbor notification technical objection piece, and the, can you go to that the 2nd page, please?

35 "Marc Fetterman" (2652117760)

00:08:30.336 --> 00:08:50.539

Yeah, I think if you go to page 87 Latreece, you'll see the issues that Michael's gonna talk about, 01:12.

36 "Marc Fetterman" (2652117760)

00:08:50.539 --> 00:08:56.219

.7 is the section number that we're looking for.

37 "Marc Fetterman" (2652117760)

00:08:56.219 --> 00:09:16.219

If that's easier than page numbers. Oh.

38 "Marc Fetterman" (2652117760)

00:09:16.219 --> 00:09:38.119

Host, and here we are. Thank you. Just a tiny bit more. Perfect. And that's great. And then Michael, you see I've used the same format.

39 "Marc Fetterman" (2652117760)

00:09:38.119 --> 00:09:44.295

You did in the earlier version and to put in red text your proposed changes.

40 "Michael Brown" (236927488)

00:09:44.295 --> 00:10:03.419

Thank you. Latrice you need to scroll up a little bit more. We still have a remainder of the pair 01:12 points I'm sorry wrong direction. I stay up, it should go down, so it goes over the next page. Okay, we'll start with the 1st section 1st.

41 "Michael Brown" (236927488)

00:10:03.419 --> 00:10:20.009

So this change has been requested by the Office of the attorney General to the appeal process for technical objections. In the past, it was ten business days and the attorney General has requested we changed it to 30.

42 "Michael Brown" (236927488)

00:10:20.009 --> 00:10:36.359

Days, meaning 30 calendar days. There's a move of foot from the district to Columbia to shift from business days to calendar days, and this is

gonna be one of them. So that's the 1st part of the change. The 2nd part of the change is that it was.

43 "Michael Brown" (236927488)

00:10:36.359 --> 00:10:52.229

In the past 15 business days that the code official had a response, give a response of the reconsideration. We've moved that to 30 days and then the 2nd component is.

44 "Michael Brown" (236927488)

00:10:52.229 --> 00:11:21.024

It, we removed that if the code official does not act within that 30 days, then the code official the it is NO longer automatically dismissed by us. So, the it's now incumbent upon us to respond within that 30 calendar days. So those were the two simple changes that were requested and I moved for.

45 "Marc Fetterman" (2652117760)

00:11:21.024 --> 00:11:36.829

I think before, if we could just scroll to the beginning of the next page Latrice, for the benefit of those that haven't read this, they will see that there's NO change to the remainder of, 01:12 .7 .1 there. Thank you.

46 "J Causey " (483116800)

00:11:36.829 --> 00:11:43.581

It looks like you're just asking for more time for review process and then eliminating the automatic approval process.

47 "Michael Brown" (236927488)

00:11:43.581 --> 00:11:47.264

Yeah, that's it. Just those two changes.

48 "Matt Borger" (1583819008)

00:11:47.264 --> 00:12:01.786

That seems like a big deal. So now it doesn't because the DC doesn't want to do their job in a certain time frame. I think that's a big problem.

49 "Matt Borger" (1583819008)

00:12:15.167 --> 00:12:47.588

Well, it's already, extremely time to consuming to deal with violations and things in this with the city. And so now you're giving more time to the city officials to do things that are taking forever as well and the automatic dismissal that was there if they didn't do their job now goes away. There's NO incentive for the district to to complete their actions. And this is a money grab I mean this is all about collecting fines.

50 "Michael Brown" (236927488)

00:12:47.588 --> 00:13:01.177

Well, I'm sorry Matt, it may not have been clear at the beginning. This is only for the technical objections to a permit that was issued.

51 "Matt Borger" (1583819008)

00:13:01.177 --> 00:13:16.705

Which I mean if a permits I mean that permits collect fees for the city, so I mean I I don't see I'm opposed as as written and I'm not sure you're gonna be able to change my mind, so other people can speak.

52 "Michael Brown" (236927488)

00:13:16.705 --> 00:13:21.746

Fair enough man. I mean, I always appreciate your feedback.

53 "Keith Parsons" (3124552448)

00:13:21.746 --> 00:13:54.383

Mike if I can jump in, I I just do want to confirm it doesn't look to me like this is something that wouldn't affect fines, NO. And as the, as a strategic enforcement administrator, I I see the fines, right? Like I see all the fines go by, so this is outside that process.

54 "Marc Fetterman" (2652117760)

00:13:54.383 --> 00:13:58.706

Any other comments from board members?

55 "Jeff Reiss" (4281489920)

00:13:58.706 --> 00:14:33.305

Yes sir. So Matt, I'm sorry, I I'm trying to understand your position. This is just adding a few more days for an affected or potentially affected property owner, to file a technical objection. I don't see where it adds any additional, fines or fees. It just provides additional time for a adjoining or adjacent property owner to file a technical objection to the chief building official.

56 "Harrison Miller" (3116657152)

00:14:33.305 --> 00:14:39.224

What, why is this necessary? What's the kind of backstore here? I'm sorry if I missed it.

57 "Michael Brown" (236927488)

00:14:39.224 --> 00:14:42.869

No, that's, that's fair question.

58 "Michael Brown" (236927488)

00:14:42.869 --> 00:15:00.329

In the 2017 code it was changed from, it was, it was set as the ten days. What we have been doing in practice is receiving technical objections past that time frame and most and especially because.

59 "Michael Brown" (236927488)

00:15:00.329 --> 00:15:20.329

If a neighbor has an objection to a permit that's being issued, as I think we all are familiar with, the plans are changing throughout the time, throughout the process until the final permit is issued. Having the ability to get a pro design professional to.

60 "Michael Brown" (236927488)

00:15:20.329 --> 00:15:31.549

Review those for you within ten days is very difficult. So the attorney general wanted us to move it to the 30 business days to extend that time for them.

61 "Marc Fetterman" (2652117760)
00:15:31.549 --> 00:15:34.747
To.

62 "Michael Brown" (236927488)
00:15:34.747 --> 00:15:38.104
Yeah, 30 calendar days.

63 "Matt Borger" (1583819008)
00:15:38.104 --> 00:16:01.129
Mike I I'm following you on on the rationale for this. This is Matt again, but and I think this is, is caught up in the idea that it's gonna help neighbors because now there'll be more time for the city to review things, which I'm sympathetic for neighbors having issues with permits going on. But what I'm not sympathetic.

64 "Matt Borger" (1583819008)
00:16:01.129 --> 00:16:35.982
For is the city officials doing their job in a timely manner, whether it's opposed to the construction or not, that's where I have the problem. I I mean, I I'm I'm a personal example of a person that never got a neighbor notification for my neighbor doing a major renovation of their house that affected my, my own property. So I think there's other issues with this as well, but I think the city needs to be able to do the review and the time they're supposed to do the review.

65 "Michael Brown" (236927488)
00:16:35.982 --> 00:16:37.407
Okay.

66 "Anthony Dale" (1020746496)
00:16:37.407 --> 00:16:59.502
I guess I have a question. This is Anthony. I I think I'm a little bit confused on what what the challenge here is. Matt, it sounds like you're saying that city's is getting more time, but I thought this was allowing the neighbors more time to submit something. Is this maybe I'm I need to read a little bit more thoroughly, but it sounds like, are we giving the city more time to do something or are we giving the neighbors more time to submit their, their objections to something that has a permit?

67 "Michael Brown" (236927488)
00:16:59.502 --> 00:17:16.384
So if you can scroll down a little bit Latrice so that we can see that we get the 01:12 .71. Scroll up, I'm sorry. Okay, there you go.

68 "J Causey " (483116800)
00:17:16.384 --> 00:17:27.869
Yeah, I think I I think I think that in a nutshell, I mean, it's it's giving the city more time, it's given neighbors more time and it's eliminating.

69 "J Causey " (483116800)

00:17:27.869 --> 00:17:52.473

A clause that said that if ddot or DOB gets overwhelmed and for some reason whether it be pandemic or anything, anything at all can't get to a complaint that in the past this complaint just, you know, went away. I think that's a bit unfair. So I think this I don't think it's a bad thing.

70 "Marc Fetterman" (2652117760)

00:17:52.473 --> 00:17:55.956

Is this helpful Anthony or do you have additional?

71 "Harrison Miller" (3116657152)

00:17:55.956 --> 00:17:59.514

Mark, you said it's calendar days? Oh, that's helpful.

72 "Marc Fetterman" (2652117760)

00:17:59.514 --> 00:18:14.634

Thank you. Yes sir. The, the, in talking with Mike Brown about putting this together Harrison, what, as Mike said during his presentation, this is changing 15, changing business days to calendar days.

73 "Harrison Miller" (3116657152)

00:18:14.634 --> 00:18:27.797

And so, just so I'm clear essentially, what used to be a ten day pause would now be potentially a ten day pause would now be potentially a 30 day pause.

74 "Marc Fetterman" (2652117760)

00:18:27.797 --> 00:18:30.873

It in really ten days is 14 when you count the.

75 "Harrison Miller" (3116657152)

00:18:30.873 --> 00:18:32.018

Again, sure.

76 "Jeff Reiss" (4281489920)

00:18:32.018 --> 00:18:48.392

However, I, I want to make sure that we use the proper verbiage here. It is not a pause. Under the old 20, make sure I'm getting my code ears right, under the old cold version in 2020 or 23rd.

77 "Marc Fetterman" (2652117760)

00:18:48.392 --> 00:18:50.353

2017. Yeah.

78 "Jeff Reiss" (4281489920)

00:18:50.353 --> 00:19:08.519

That the old one. Okay. One prior to this Neighbor notification and technical objections would stop the issuance of a building proof until they were resolved. In 2017, the new neighbor notification process.

79 "Jeff Reiss" (4281489920)

00:19:08.519 --> 00:19:24.179

Said that a neighbor has ten days ten business days after permit issuance to file technical objections. At the request of the attorney general.

80 "Jeff Reiss" (4281489920)

00:19:24.179 --> 00:19:41.789

They're saying that ten days is very difficult to get that done. Ten business days. So they've asked us to increase it to 30 days. The only thing that's changing, the permit will still be issued. However, the adjoining properties or neighbors or whoever is submitting.

81 "Jeff Reiss" (4281489920)

00:19:41.789 --> 00:20:07.754

We'll have 30 business days to submit a technical objection. And it's my understanding that if the department finds that there are merits within the technical objections, because we're human, sometimes we miss things, that the department will then work with the building owner to get those technical object objections addressed. Is that correct, mr. Brown?

82 "Michael Brown" (236927488)

00:20:07.754 --> 00:20:10.352

Correct Mr. Ease.

83 "Matt Borger" (1583819008)

00:20:10.352 --> 00:20:31.195

Thanks. So, in 30 calendar days that you want to change this to, I could have put a two story edition on the back of my house, and then you're gonna come back and tell me that there's problems with the protectable objections from a neighbor that you just took to review.

84 "Michael Brown" (236927488)

00:20:31.195 --> 00:20:53.399

Yeah, and the technical objections have a limited scope as well, but I I'll tell you, in all honesty, in 99 out of a hundred cases, as soon as we receive the technical objection, we.

85 "Michael Brown" (236927488)

00:20:53.399 --> 00:21:08.939

Talk to the contractor developer or whomever is the person responsible and let them know what we received and 99 times out of a hundred, they immediately contact their neighbor and work through it.

86 "Michael Brown" (236927488)

00:21:08.939 --> 00:21:24.659

This is really about those times when there's an actual potential damage to the property or to people, that we review it and our process that we're setting up.

87 "Michael Brown" (236927488)

00:21:24.659 --> 00:21:42.869

For this new time frame is if we reviewed it, I'm going, if it was reviewed by internal plan reviewers, I'm gonna have, I have a set of external contractors who will do that review for us so we have a different look at it.

88 "Michael Brown" (236927488)

00:21:42.869 --> 00:22:11.574

So it's not us looking at our own self fully if it's a outside contractor, we'll look at it. In either case, once we get the information from the folks who did the work on the technical objection to determine its merit, it's gonna come back to Colas who leads that team for us and he will make the presentation to Nicole Jeff and myself to determine which direction we should go.

89 "Harrison Miller" (3116657152)

00:22:11.574 --> 00:22:31.570

Mike, can I ask you a quick question? Is there, let's say today as it stands where it's, I guess 15 business days, if, if something was brought forward that had merit after that time period, there's NO mechanism to enforce or revoke the permit.

90 "Michael Brown" (236927488)

00:22:31.570 --> 00:23:04.213

No, there is. I mean we have a mechanism for it and we in fact accept those technical objections from people well after the ten days. I mean, our concern is the safety of the people and of course the residents and people in this in the district, we take that often so if it comes in after this technical objection period for neighbor notification, I'm literally walking down the hall to talk talk to Jeff and say, hey, we need to get out to this property immediately. I need an assessment from our folks.

91 "Harrison Miller" (3116657152)

00:23:04.213 --> 00:23:19.312

Understood. So I don't know, it just seems to me like it's sort of an unnecessary change given that if there's really an issue, it's, there's a mechanism to deal with it. I don't, that's just my \$0.02, but I'll I'll it up now.

92 "Michael Brown" (236927488)

00:23:19.312 --> 00:23:27.358

You know, I guess it's a question Mike. You said something Michael I apologize, you said something earlier, you said something like oh sorry Mike.

93 "Anthony Dale" (1020746496)

00:23:27.358 --> 00:23:44.433

You said something earlier that even the, the practice now is that you often receive objections outside of the ten days and you still process those. So is this, I'm trying to understand the need for this if you are already doing something outside of the ten days anyway.

94 "Michael Brown" (236927488)

00:23:44.433 --> 00:23:45.754

That sounds like you all.

95 "Anthony Dale" (1020746496)

00:23:45.754 --> 00:23:51.578

On processing, if you receive something outside of ten days, you're doing, you're dealing with it regardless of us changing to 30 days or not.

96 "Michael Brown" (236927488)

00:23:51.578 --> 00:24:11.719

Well, I guess, well, I shouldn't even say I guess. The request by the attorney general is that when they go to court, if we leave it at ten business days, it becomes more contentious from both sides, right? And their feeling is if they have this 30 calendar days.

97 "Michael Brown" (236927488)

00:24:11.719 --> 00:24:27.749

They've got a broader time period to have our customer or the neighbor excuse me, make that objection. So in many ways, it's to make it clearer and easier.

98 "Michael Brown" (236927488)

00:24:27.749 --> 00:24:44.459

For people if it ends up being adjudicated to understand that this is a longer time period. If it stayed at ten days, the neighbor's gonna argue ten days wasn't enough. If we look at it after the fact, then we use neighbor notification after the ten days.

99 "Michael Brown" (236927488)

00:24:44.459 --> 00:25:04.459

The customer building the home is gonna be able to say, hey, wait, they're outside of the time period, can't take this technical objection from them. So it becomes more of a, a legal battle. So many ways this is to assist in those very rare times in which something gets elevated to.

100 "Michael Brown" (236927488)

00:25:04.459 --> 00:25:14.195

Superior boards. Okay, thanks for that. Any other comments from board members?

101 "Jeff Reiss" (4281489920)

00:25:14.195 --> 00:25:53.756

So, if I may chair, the change also requires the code official to provide a consideration response. The previous code section says if the code official doesn't act within 15 days, then it doesn't matter. It's just automatically not heard. So this section now provides the claimant a written justification for acknowledgement regardless of acceptance.

102 "Marc Fetterman" (2652117760)

00:25:53.756 --> 00:26:19.109

Thank you Jeff. Any other comments from board members? Any members of the public wish to make a comment and I need to ask you to, keep your comments to what we're dealing with in section 01:12 .7 and 01:12 .7 .1 and not outside of those two paragraphs.

103 "Marc Fetterman" (2652117760)

00:26:38.707 --> 00:26:49.079

As written I am, I don't have a problem with giving the neighbor time to do something but I have an issue. I just wanted to know whether we needed to call roll on it, and we do.

104 "Marc Fetterman" (2652117760)

00:26:49.079 --> 00:27:06.986

So, I need a motion and a 2nd to approve this, change to BC-AE-1-1- 23.

105 "Marc Fetterman" (2652117760)

00:27:06.986 --> 00:27:24.809

I moved for moved the vote on this amendment affirmatively. Thank you Michael do and I need a 2nd, please. Okay. Thank you, Jeff.

106 "Marc Fetterman" (2652117760)

00:27:24.809 --> 00:27:44.943

And we've sort of taken the comments out of the correct order, but we've received comments and I'll call the role. Mark Federman is in favor, Matt Borger.

107 "Marc Fetterman" (2652117760)

00:27:44.943 --> 00:28:03.877

Now, thank you Michael Brown. Yes. Joel Cause. I know, I know we heard Joel earlier. Anthony Dale.

108 "Marc Fetterman" (2652117760)

00:28:17.779 --> 00:28:41.716

Thank you. I believe Gus Meredad is not with us. He's here, he's on. Oh Gus, welcome back. Wow! Congratulations. How do you vote on this? Thank you. He abstained. Okay. Harrison Miller?

109 "Harrison Miller" (3116657152)

00:28:41.716 --> 00:28:44.820

Yeah I'm gonna vote NO. Thank you.

110 "Marc Fetterman" (2652117760)

00:28:44.820 --> 00:28:48.560

Keith Parsons?

111 "Keith Parsons" (3124552448)

00:28:48.560 --> 00:28:53.676

Yes, Jeff Reese. Yes.

112 "Marc Fetterman" (2652117760)

00:28:53.676 --> 00:28:59.795

Casey Studhalter. Yes. Jeff Viano.

113 "Jeff Viano" (4091428096)

00:28:59.795 --> 00:29:02.897

I will abstain. Thank you.

114 "Marc Fetterman" (2652117760)

00:29:02.897 --> 00:29:20.129

And I know Jason Wright is not with us and during our conversation, we welcome Jeff Reese and Joel Cause as being present during our meeting. So as a result of this, I've got 1234567 six, seven.

115 "Marc Fetterman" (2652117760)

00:29:20.129 --> 00:29:41.140

In favor, out of the 13, which means the motion passes. In addition to the seven in favor, there were two NO votes and I have two abstentions. So did I do something wrong? I thought we had.

116 "Harrison Miller" (3116657152)

00:29:41.140 --> 00:29:43.700

I thought there was three extension.

117 "Marc Fetterman" (2652117760)

00:29:43.700 --> 00:29:54.989

Thank you've got three abstentions. Anthony Gus and Jeff. And then the NO votes are Harrison and Matt.

118 "Marc Fetterman" (2652117760)

00:29:54.989 --> 00:30:14.989

Thank you. Thank you all for this. Onto the administrative matters, as I note in the agenda under item sub item one, all of us in the private sector, appointments to the CCCB expired.

119 "Marc Fetterman" (2652117760)

00:30:14.989 --> 00:30:35.219

Have expired. I, have tried to nudge DOB who's tried to nudge the appropriate people at the Ministry of Talents and appointments and we get thoughtful comments that it's in process, but I don't have anything more to offer than that.

120 "Anthony Dale" (1020746496)

00:30:35.219 --> 00:30:42.742

Mark, I received the email from the office asked me if I want to stay on and I said yes, and they said they would process the paperwork. That was a few weeks.

121 "Harrison Miller" (3116657152)

00:30:42.742 --> 00:30:45.936

I received the same email as well Anthony.

122 "Marc Fetterman" (2652117760)

00:30:45.936 --> 00:30:57.037

Oh, great. I did not know they had reached out to everybody. Congratulations. I guess because I was the thorn in the side, they assumed that I want to be renewed as well, so I didn't get that email.

123 "Matt Borger" (1583819008)

00:30:57.037 --> 00:30:59.696

I did not get the email either Mark, this is Matt.

124 "Marc Fetterman" (2652117760)

00:30:59.696 --> 00:31:18.439

Okay, well I have seen a list of those that they are wishing to renew, and the only private sector member who's not on the list is Matt Borger, and that's because Matt is appointed by the council, so he's not subject to mayor's appointments.

125 "Matt Borger" (1583819008)
00:31:18.439 --> 00:31:21.901
Really? Information you don't.

126 "J Causey " (483116800)
00:31:21.901 --> 00:31:23.639
Nice working with you Matt.

127 "Matt Borger" (1583819008)
00:31:23.639 --> 00:31:26.696
So how do I, does that mean I'm not on this anymore or do I.

128 "Marc Fetterman" (2652117760)
00:31:26.696 --> 00:31:31.954
No, you are. You are, you're but you're on, you're on at the pleasure of the council.

129 "Matt Borger" (1583819008)
00:31:31.954 --> 00:31:32.599
Oh.

130 "J Causey " (483116800)
00:31:32.599 --> 00:31:36.335
You'll you'll have to get renewed by the council though because when this term expires.

131 "Marc Fetterman" (2652117760)
00:31:36.335 --> 00:31:50.099
There is NO term. He's I guess Matt is kind of like the DC government employees who are members of our board. They serve generally as long as they have that role in their respective agencies.

132 "J Causey " (483116800)
00:31:50.099 --> 00:31:52.497
All right, welcome. Welcome back Matt. Yeah.

133 "Matt Borger" (1583819008)
00:31:52.497 --> 00:31:56.238
I've seen that email. You stuck with me I guess.

134 "Marc Fetterman" (2652117760)
00:31:56.238 --> 00:32:16.099
So, it's 1109 and I'd like to, inc I know that Jeff, not Jeff, Keith needs to leave shortly. Our next scheduled meeting is 15 August, just to conclude one easy item, and I'd like to turn the.

135 "Marc Fetterman" (2652117760)
00:32:16.099 --> 00:32:31.479

Meeting over to Mike Brown to talk about the adoption of the amendments that we have already passed to the 2023 and 2017 construction codes. It's all yours Mike.

136 "Michael Brown" (236927488)

00:32:31.479 --> 00:33:11.878

Thank you mr. chair. 1st of all, I really do appreciate all the feedback. We continue to take that feedback from anybody. I do want you everybody to know who's in opposition that we will be having another public comment period after this rule meet making works through the process with Opla, and the council, and then it will go back to public comment for 45 days, all of the amendments that can then be commented on or you can.

137 "Marc Fetterman" (2652117760)

00:33:11.878 --> 00:33:47.156

Let me stop you at that point Mike, because it occurred to me that in the past the, the board has had a say in the number of days that this is subject to public comment. And I will say in the past we have used 45, sorry to use the word Michael, business days as the anappropriate period for public comment during each of our two public comment periods. And I'm have naively assumed that the board will feel that that is reasonable for the code changes that we've just approved as well.

138 "Michael Brown" (236927488)

00:33:47.156 --> 00:34:10.019

Yes, when we're ready to set it that timeframe, we'll be bringing forward into that at most likely August meeting but it is our intention to ask this board for 45 business days. When it deals with things with the council and all, business days are necessary because of the number of days that the council may not be in business and.

139 "Michael Brown" (236927488)

00:34:10.019 --> 00:34:27.956

Doing business and that's the other item that we'll have to vote on is do we want it to be 45 business days including the council's time off or we just want it to be 45 business days? And that'll be discussion for the next meeting.

140 "Marc Fetterman" (2652117760)

00:34:27.956 --> 00:34:31.983

Thank you Michael. So, what else do you have for us this morning, please.

141 "Michael Brown" (236927488)

00:34:31.983 --> 00:34:51.089

So a couple of things, let me share my screen real quick.

142 "Michael Brown" (236927488)

00:34:51.089 --> 00:35:08.789

Okay, I just wanted to talk real quick about funding a grant fund that we applied for. We've been requested to get an outcome of budget so we've been accepted. The budget essentially the way I put it together.

143 "Michael Brown" (236927488)

00:35:08.789 --> 00:35:24.569

Is that it will work through September of 2026, which will get us hopefully through the next code cycle in many ways. The money being funded will full fund a full time paralegal who will work directly with.

144 "Michael Brown" (236927488)

00:35:24.569 --> 00:35:39.899

All the tags with this board will be doing all the paperwork so that everything's in order as we go through time. They also will be available for answering questions from the public.

145 "Michael Brown" (236927488)

00:35:39.899 --> 00:35:59.899

Another I should have put in here as well. I just put in the folks. The other component of all this is we've developed we're gonna put together a new web page that will be exclusively for, this for co the co development cycles. We intend for that to be a dynamic page. So for instance.

146 "Michael Brown" (236927488)

00:35:59.899 --> 00:36:31.059

Since during the public comment period. If somebody puts forward amendment, that amendment will show up on that website and it will be much like if you're in a, you know, looking at a website and you want to know what are the ratings for it, people will be able to take that one, that one amendment and make a continual conversation of their thoughts, feelings, suggestions for amendments, whatever. So, it will be back and allow for back and forth.

147 "Marc Fetterman" (2652117760)

00:36:31.059 --> 00:36:37.559

And, and Michael, we're not seeing anything on your screen, on our screen in case you have shared something. It hasn't quite.

148 "Michael Brown" (236927488)

00:36:37.559 --> 00:36:58.079

I did. Thanks for saying that. I don't know what it looks like it is being shared. Well, who knows? Do you see that screen now? No sir. Oh, I see what happened. Thank you Matt. I mean Mark I appreciate that.

149 "Michael Brown" (236927488)

00:37:07.157 --> 00:37:36.981

Anyway, that will be another part of it. Who's this grant through? This grant is through, a pass through from FEMA to HCMA to us for code development. The purpose of the grant is for real resiliency and the use of building codes is part of the resilient for pardon me? How much is.

150 "Matt Borger" (1583819008)

00:37:36.981 --> 00:37:38.064

To grant four.

151 "Michael Brown" (236927488)

00:37:38.064 --> 00:37:46.603

It is for \$800000.

152 "Matt Borger" (1583819008)

00:37:46.603 --> 00:37:55.340

And, and the city doesn't want to fund this. They they're gonna, we gotta do it through grants, so in 2026, we gotta do this all over again.

153 "Michael Brown" (236927488)

00:37:55.340 --> 00:38:21.203

I'll be on it then too. But yes, you're correct. That is where we have funding. And, you know, we all know the problems the district has with budgets and when we couldn't get this funded I we immediately started looking for opportunities out there to get what we feel strongly that we need.

154 "Matt Borger" (1583819008)

00:38:21.203 --> 00:38:27.022

No, I appreciate you doing it. I just I'm disappointed that the city doesn't want to fund it out of their general fund.

155 "Marc Fetterman" (2652117760)

00:38:27.022 --> 00:38:39.336

Yeah, but but but Matt, to be more clear, this isn't, this is DOB that is required by the mayors order to support us. It's DOB that is not funding this.

156 "Michael Brown" (236927488)

00:38:39.336 --> 00:38:44.278

Oh, thanks mr..

157 "Marc Fetterman" (2652117760)

00:38:44.278 --> 00:38:46.544

I'm sorry.

158 "Michael Brown" (236927488)

00:38:46.544 --> 00:39:04.980

I appreciate it. You're above my pay grade, but I certainly understand this is something we wanted, it was not able to be made down and was not able to be part of the budget and we went and searched of additional funds and this is one that we found.

159 "Marc Fetterman" (2652117760)

00:39:04.980 --> 00:39:12.119

Thank you. I don't want to be nasty, but I just want to be fair to everyone.

160 "Michael Brown" (236927488)

00:39:12.119 --> 00:39:35.090

That's quite alright. The, our, the way I see this paralegal working is one, we've got a bunch of volunteers doing a ton of work and it's really appreciated, but this paralegal needs to be supporting the individual tags as well, so that the members of the tags aren't the one having to take.

161 "Michael Brown" (236927488)

00:39:35.090 --> 00:39:57.810

Previous notes making amendments to the everything that somebody is giving that kind of support setting up the meetings. I mean just doing all of the management that has really fallen all all of the volunteers heads and, you know, in all honesty be leaving some work from.

162 "Michael Brown" (236927488)

00:39:57.810 --> 00:40:21.481

The rest of us who do work for the government so we can focus on our day jobs and move forward. This full time paralegal is similar to, you know, people who have done some of the work before, but it will be an outside outside work because it's gonna be worth of the tags. The 2nd one is a.

163 "Marc Fetterman" (2652117760)

00:40:21.481 --> 00:40:50.918

So Michael if I could interject, the, the, the paralegal help we've had in the past has been terrific for most of the time and however, we never had a dedicated person before. That person is, has always been an employee of the legislative affairs part of your agency, and at times when there were more important things to do, that person got pulled aside to do those more important things. Yeah.

164 "Michael Brown" (236927488)

00:40:50.918 --> 00:41:11.540

Well, I think, well, I know, I know the new director is all about being open about things and transparent about our actions and the hope and wishes of having this kind of focused attention will give us that. You know, the coach.

165 "Michael Brown" (236927488)

00:41:11.540 --> 00:41:32.100

Development process is arduous and it ends up being gen, you know, people generally who are advocates in one form or another or technical experts, which is why we included a full time community outreach and educator.

166 "Michael Brown" (236927488)

00:41:32.100 --> 00:41:49.260

I, I think one of the things that has been missing is somebody who's out on the streets full time, and that includes, you know, individual neighborhoods, working with the ANC groups, going to different churches, having meetings at schools.

167 "Michael Brown" (236927488)

00:41:49.260 --> 00:42:09.260

Meeting with DCVIA and the DC greater DC Realtors association, all those type types of group groups we need to be talking to them continually about the co development process. I mean, there's discussions already taken.

168 "Michael Brown" (236927488)

00:42:09.260 --> 00:42:33.410

Place about, you know, how do we meet the require the legislator requirement to have a net zero code by 31 December 2026. Well, our, this person needs to be out there and start talking to all these folks and

saying, hey, here's the legislation. And we need to get there. What are your thoughts? How can we adopt? How does it work best for you guys?

169 "Michael Brown" (236927488)

00:42:33.410 --> 00:42:52.830

You know, that doesn't happen and then it ends up being stretching out the time period we are going through the co development process. And then the last piece is a thousand contract hours for lawyer oversight of the paralegal to make sure they're continue to do their work.

170 "Michael Brown" (236927488)

00:42:52.830 --> 00:43:10.200

Properly, putting together the package for the rule making. It's really, you know, worked over by the attorney general's office. This is not something that can be handed off to a paralegal. It needs to be stamped with a lawyer's oversight.

171 "Michael Brown" (236927488)

00:43:10.200 --> 00:43:28.950

So that's essentially the use of the funding, and, I I'm hoping that we hear about the money that starts flowing sometime in September of this year or October at the latest cause this funding actually doesn't roll with the fiscal years.

172 "Michael Brown" (236927488)

00:43:28.950 --> 00:43:48.950

It's on a different basis, so hopefully we have this quickly. I certainly, if anybody's interested in being part of the interview process for the full time two people, once we get ready to start interviewing and once we post a position, we'll.

173 "Michael Brown" (236927488)

00:43:48.950 --> 00:44:03.642

Share it with everybody. And then secondly during the interview process, we'll ask if anybody like to be part of the interview panel Cause I think that's another piece that has to be included. So that's a quick overview of that.

174 "Marc Fetterman" (2652117760)

00:44:03.642 --> 00:44:18.895

Thank you Michael. I know everyone's interested in a timetable for the adoption of the code changes that we, approved as of last November plus the one today. Do you have any update on timetables?

175 "Michael Brown" (236927488)

00:44:18.895 --> 00:44:36.300

The timetable that I can we have not laid out the entire time label, the timetable, our head of legislative affairs is going to start working with the council, the mayor and all.

176 "Michael Brown" (236927488)

00:44:36.300 --> 00:44:53.070

After recess, which is the month of August, by that time our our lawyers maybe done in advance of that cause they started working on all the

oversight of all the rules that all the amendments we've made to make sure it's written properly.

177 "Michael Brown" (236927488)

00:44:53.070 --> 00:45:08.070

And there's not a whole lot of conflict with another code. So they started that work last, NO, this monday. I know there's two or three people working on it. There's 333 amendments.

178 "Michael Brown" (236927488)

00:45:08.070 --> 00:45:28.070

Prior to that, a group of people who work here, you know, put everything in order is essentially acted like the, the paralegal to get things in order so the lawyers could do their work. I don't know when that'll be ready to be submitted to the IQ process as soon.

179 "Michael Brown" (236927488)

00:45:28.070 --> 00:45:40.123

As we find out, and have a better feel for the date on that, we'll share it with everybody. My hope and wish is that it's sometime in mid August at the latest.

180 "Marc Fetterman" (2652117760)

00:45:40.123 --> 00:45:45.719

So do you have any idea when this gets published in the register? Or when do we learn that?

181 "Michael Brown" (236927488)

00:45:45.719 --> 00:46:04.642

So as soon as the lawyers finished their work, it'll get posted. I'll get an update on that calendar of how they see that they're working through since they started on Monday going through the 333, amendments. So they have to figure out what they know cause.

182 "Marc Fetterman" (2652117760)

00:46:04.642 --> 00:46:20.236

I thought the big holdup we had the last time there were two of them. One was the office of the attorney general, and the other was the mayor's office with their five step approval process. And you haven't mentioned the mayor's office.

183 "Michael Brown" (236927488)

00:46:20.236 --> 00:46:40.040

The mayor's office, yeah, the executive office of the mayor will be involved it was a good, we 1st talked to demo and then they passed it up the ladder for us. Brian is gonna talk to work directly with the mayor for getting this process moving, moving.

184 "Michael Brown" (236927488)

00:46:40.040 --> 00:46:58.230

To her office, Will, Dan Dailyn our legislative affairs person has already started talking to the council. Will and myself are going to meet with council staff and talk to him about this process. They're not a.

185 "Michael Brown" (236927488)

00:46:58.230 --> 00:47:14.850

They're not, they don't know about this process mostly because it's very infrequent, and then he set up a meeting with five of the council members including the chairman that will walk through them through directly on these amendments as well.

186 "Michael Brown" (236927488)

00:47:14.850 --> 00:47:31.890

It's our hope and will daming this does an outstanding job for us. It's been a welcome addition. He's gonna set it up so that we're talking to everybody in advance so they one know what's coming and two, essentially what's.

187 "Michael Brown" (236927488)

00:47:31.890 --> 00:47:47.910

In the codes. I think it will be NO surprise when they ask me what is going to be the most controversi, you know, what is the most controversial things? One is, one, I'll get to your questions.

188 "Michael Brown" (236927488)

00:47:47.910 --> 00:48:03.300

Casey, one is the electrification, which we ruled out, but there's interest on both sides of that. So we want to make sure that that's front and center, so it's not a surprise to them and let them know.

189 "Michael Brown" (236927488)

00:48:03.300 --> 00:48:18.750

Why we voted up or down on those different amendments, so they can be thinking in that same terms. I think the 2nd one was these changes that OAG requested for the date times on.

190 "Michael Brown" (236927488)

00:48:18.750 --> 00:48:36.870

Neighbor notification and that appeals process for technical objections. And if we having gone through all of the minutes since the January of 2021 recently, I think those are the two big hitters in terms of issues.

191 "Michael Brown" (236927488)

00:48:36.870 --> 00:48:55.350

Our attorneys may find something else that we need to make sure we highlight in advance. Otherwise we'll give them an overview generally of each of the chapters and what are those changes. And Casey, your question was why are we talking to the council so early?

192 "Michael Brown" (236927488)

00:48:55.350 --> 00:49:15.350

Our legislative affairs folks leader, he absolutely believes in talking to everybody so that nothing's ever a surprise and they see a long runway. He will share with them when it, you know, when in fact it might actually hit them. But what we do know is that we get a number of questions from the council's office.

193 "Michael Brown" (236927488)

00:49:15.350 --> 00:49:35.610

Office about codes and we just want them to know that we're, we continue to be an open door for hearing their questions and also the two way process of sharing them with our you know the visions of this CCEP of where the codes are going. I think we believe overall.

194 "Michael Brown" (236927488)

00:49:35.610 --> 00:49:51.720

That that kind of transparency throughout the government will help better understandings. I know I've done ANC meetings and they asked questions about the code as well. We need to, we, DOB.

195 "Michael Brown" (236927488)

00:49:51.720 --> 00:50:18.243

We feel like we need to do a far better job than we've been able to do in the past communicating to the public, and that is certainly, if not the number one priority of the director, it might be two, but I don't know how it would be less than one actually. We he talks about it and guides us constantly about being transparent with what we're doing and why.

196 "Marc Fetterman" (2652117760)

00:50:18.243 --> 00:50:23.240

Thank you Michael. Anything else to report?

197 "Michael Brown" (236927488)

00:50:23.240 --> 00:50:26.082

That's all I have to report at this.

198 "Marc Fetterman" (2652117760)

00:50:26.082 --> 00:50:45.581

Thank you. I'm just trying to be respectful of everybody's time and realizing that Jeff needs to get our people need to get on their Keith needs to get on his way. Any comments from board members? Joel, I'm trying to trying to unmute here.

199 "J Causey " (483116800)

00:50:45.581 --> 00:51:07.399

There we go, now you're muted. Yeah so Michael, is, is it the goal of DOB to get the code signed and enforced by the, by years end? And I asked that because that's the I can't go to the cocktail party without someone asking me that question is diligently working on, on stuff that's within the old code?

200 "Michael Brown" (236927488)

00:51:07.399 --> 00:51:37.444

Okay, well I'm curious how many cocktail parties you go to, but, it, we would certainly like it by the end of the year, but it is not physically prop possible based just on the calendar, things would have to move at lightning speed. It is, it is our hope that it's going to public comment in January, maybe February and that's why we're doing a lot of talking to people in advance, so it's not a surprise.

201 "Marc Fetterman" (2652117760)

00:51:37.444 --> 00:51:39.505

And hopefully we can move it through IQQ.

202 "Michael Brown" (236927488)
00:51:39.505 --> 00:51:41.380
Process cause it went a little.

203 "Marc Fetterman" (2652117760)
00:51:41.380 --> 00:52:07.660
There are two public comments after public, we're gonna publish in the DC register twice if we do what we did the last time, and then after looking at the comments we get from the 2nd publication during the last two code cycles, we have decided that the comments we got after our 2nd publication were not new and that we've sent our document to the council.

204 "Marc Fetterman" (2652117760)
00:52:07.660 --> 00:52:25.847
For approval, and so the 45 day statutory period started when the mayor sent it to them. So there, there are two public comment periods plus having things to be reviewed by the tags before we can send this to the council.

205 "Michael Brown" (236927488)
00:52:25.847 --> 00:52:28.561
Yeah, did you say that the next.

206 "Matt Borger" (1583819008)
00:52:28.561 --> 00:52:33.058
We won't go out to public comment until February. Is that what you just said?

207 "Michael Brown" (236927488)
00:52:33.058 --> 00:52:47.784
Well, if I, that is, that would be worst case in my opinion. The issue is gonna be how quickly we can get it through the IQ process, and that's what will our legislative director is starting to work on so that it doesn't take as long as.

208 "Marc Fetterman" (2652117760)
00:52:47.784 --> 00:52:53.040
In the past and and the IQ process is the mayor's office review Matt.
Yeah.

209 "Matt Borger" (1583819008)
00:52:53.040 --> 00:53:00.101
Sorry. I got it. It's just July, so I mean February is seven months away.

210 "J Causey " (483116800)
00:53:00.101 --> 00:53:02.924
It took it took 18 months lat Matt for the last.

211 "Marc Fetterman" (2652117760)
00:53:02.924 --> 00:53:10.458
No excuse me Joel, it took 20 months. Oh, 20 months, I'm sorry, 20 months yes, 20 months. From this period to get a code the last time Matt.

212 "Matt Borger" (1583819008)

00:53:10.458 --> 00:53:26.406

No, NO, I, I got it took to get the code. I I just wanted to make sure I understood what Mike said that we're not even gonna go out the public comment for the 1st review until February. Is that correct? Do you think it's gonna take that long to go through the review process to get it to go out to public comment?

213 "Michael Brown" (236927488)

00:53:26.406 --> 00:53:42.930

I'm going to, here's the assumptions I make on it and I'm hoping that it's actually January, but we sent, we finished all of the reviews internally with our lawyers. We send it on to the IQ process.

214 "Michael Brown" (236927488)

00:53:42.930 --> 00:54:02.930

And it goes from Oakla's gonna do oversight of it, the mayor's office is gonna do oversight of it. Attorney general's gonna do oversight, then it goes back to the mayor's office, and Opla to wrap it up and send it to rule making. That process the last time was over 18 months. So.

215 "Michael Brown" (236927488)

00:54:02.930 --> 00:54:15.505

I'm actually always pessimistic on how fast we can get things through there, so I narrowed it down to probably a six month period, and I hope that's not the case.

216 "Marc Fetterman" (2652117760)

00:54:15.505 --> 00:54:18.664

It it certainly took over six months the last time.

217 "J Causey " (483116800)

00:54:18.664 --> 00:54:19.981

Yeah.

218 "Marc Fetterman" (2652117760)

00:54:19.981 --> 00:54:38.970

Then you know then after then the the you get the comments back, the tags have to review them. It's quite a bit of work for several tags unfortunately, really for commercial energy gets the majority of the comments if this is similar to the last two code cycles. Yes, Casey.

219 "Marc Fetterman" (2652117760)

00:54:38.970 --> 00:54:57.450

I'm sorry Joel, excuse me. Oh NO I'm sorry I didn't have my hand up, I'm sorry. Oh, any other comments by members of the board? I open this up to any members of the public who wish to make a comment.

220 "Marc Fetterman" (2652117760)

00:54:57.450 --> 00:55:32.903

Yeah. Hearing none, it's 1132, I'd hope would be done by 1130 and I almost made it. Thank you all for your participation today and I I know Michael will keep us updated as he learns additional information on

timing. With that, I'll declare the meeting adjourned at 1132 and thank you all for participating today. Bye bye.

221 "Michael Brown" (236927488)

00:55:33.443 --> 00:55:38.244

Thanks mr. chair. Thanks mr. chair. Thanks, everyone. Bye.