



AGENDA REPORT

Meeting Date: November 15, 2011
Item Number: G-11
To: Honorable Mayor & City Council
From: Susan Healy Keene, AICP, Director of Community Development
Subject: APPROPRIATION OF \$30,000 OF UNAPPROPRIATED FUND BALANCE FROM FUND 26 TO SUPPORT THE CONTINUING EDUCATION REQUIREMENTS OF CITY INSPECTORS, PLAN EXAMINERS, AND BUILDING OFFICIAL IN ACCORDANCE WITH ASSEMBLY BILL 717

Attachments: 1. Assembly Bill 717 and California Health and Safety Code Section 18949.29

RECOMMENDATION

Staff recommends that the City Council appropriate \$30,000 from Fund 26 unappropriated fund balance to fund expenses relating to the continuing education requirements of city inspectors, plan examiners and the building official in accordance with Assembly Bill (AB) 717. They are as follows:

ACCOUNT	DESCRIPTION	AMOUNT
73170	Training	\$12,000
73160	Travel	\$ 4,000
73060	Mileage	\$ 2,000
73070	Membership and Dues	\$ 4,000
72100	Books and publications	\$ 7,000
72260	Training Aids	\$ 1,000

INTRODUCTION

In 1995, Assembly Bill 717 added into the State Building Standards Law continuing education and certification requirements for inspectors, plans examiners and building officials who are employed by a local agency. California Health and Safety Code Section 18949.29 defined continuing education as "that education relating to the enforcement of Title 24 of the California Code or Regulations, and any other locally enforced building and construction standards, including, but not limited to the model uniform codes

adopted by the State.” Additionally, this code section states that “a local government may charge or increase inspection fees to the extent necessary to offset any added costs incurred in complying with the continuing education requirements”. A training and educational fee was then added to the City’s Schedule of Fees and Charges for Fiscal Year 2010-11 and was set at 1.2% of building, mechanical, plumbing and electrical permit fees, as approved by City Council on May 4, 2010. The revenues generated from this fee were placed in Fund 26 to be used specifically to comply with AB 717.

DISCUSSION

The AB717 Training and Education Fee generated revenues of approximately \$32,000 in Fund 26 for fiscal year 2010-11. This is the approximate revenue staff projects the AB717 Training and Education fee will generate annually. Information on the training, education and certification costs was not available during the FY2010-11 budget process causing the funds to be unappropriated. Staff is therefore, requesting City Council to appropriate \$30,000 annually to the program and accounts identified by staff to fulfill the continuing education requirements imposed by the State mandated AB717 including the anticipated tri-annual State and local code adoptions.

FISCAL IMPACT

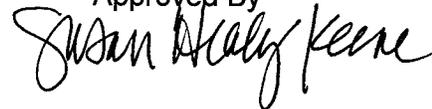
Funds to be used for the identified expenditures will be from the unappropriated fund balance in Fund 26 and will only be used in accordance with the AB717 requirements. There will be no fiscal impact to the General Fund.



Scott Miller
Finance Approval

Susan Healy Keene, AICP

Approved By



ATTACHMENTS

1995

AB 717 (Ducheny, Stats. 1995, c. 623) added into the State Building Standards Law specific certification, training and continuing education requirements for construction inspectors, plans examiners and building officials who are employed by a local agency in a temporary or permanent capacity. The bill exempts any person currently and continuously employed by a local agency as an inspector, plans examiner or building official, for not less than two years prior to the effective date of the bill, from its training and certification requirements. This exemption remains in effect until that person obtains new employment, as specified.

California Health and Safety Code Section 18949.29

(a) All construction inspectors, plans examiners, and building officials shall complete a minimum of 45 hours of continuing education for every three-year period, with at least eight hours regarding disability access requirements pursuant to subdivision (d). A local government may charge or increase inspection fees to the extent necessary to offset any added costs incurred in complying with this section.

(b) Providers of continuing education may include any organizations affiliated with the code enforcement profession, community colleges, or other providers of similar quality, as determined by the local agency.

(c) For purposes of this section, "continuing education" is defined as that education relating to the enforcement of Title 24 of the California Code of Regulations, and any other locally enforced building and construction standards, including, but not limited to, the model uniform codes adopted by the state. When a local agency selects a model code organization as a provider of continuing education or certification programs regarding the enforcement of a model code adopted by the state, the local agency shall give preference to the organization responsible for promulgating or drafting that model code.

(d) Continuing education regarding disability access requirements shall include information and practical guidance concerning requirements imposed by the Americans with Disabilities Act of 1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), state laws that govern access to public facilities, and federal and state regulations adopted pursuant to those laws. Continuing education provided pursuant to this subdivision shall be presented by trainers or educators with knowledge and expertise in these requirements.

Section:

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Last modified: January 15, 2011