

**MINUTES OF THE BOARD OF RULES AND APPEALS**

**Meeting of March 20<sup>th</sup>, 2014**

**Members Present:** Rolando Diaz, *Vice-Chairman*  
Thomas Utterback, *Sergeant at Arms*

Robert Barnes  
Richard Horton  
Gregory Pierce  
Roce Simpson, Jr.  
Chief Paul Smith

William Derrer  
Alfonso Fernandez-Fraga  
Chief Virgilio Fernández  
Hebert Gopman, P.E.

**Members Excused:** Enrique Salvador, *Chairman*  
Mario Espineira, Jr.  
Jesus Gomez

Juan Dalla Rizza, P.E.  
Carmen Garcia  
Hon. Jordan W. Leonard

**Staff Present:** Eduardo Gonzalez, Assistant County Attorney  
Michael Goolsby, Acting Secretary of the Board  
Yvonne Bell, Lead Board Secretary

**Court Reporter:** Janice Aguirre, Miami Dade County Court Reporters, Inc.

**The meeting was called to order at 1:12 P.M.**

**MINUTES of February 20<sup>th</sup>, 2014**

Vice-Chairman Rolando Diaz requested a motion for the approval of the *February 20<sup>th</sup>, 2014* meeting minutes. A motion was made by Gregory Pierce to *accept* the minutes and Chief Virgil Fernandez seconded the motion. The *motion carried unanimously*.

**REGULAR AGENDA**

**INTERPRETATION: 2010 FLORIDA BUILDING CODE, SECTION [F] 909.18.8.3, Responsible Registered Design Professional, Special Inspector Report**

Michael Goolsby, Board and Code Administration Division Director, informed the Board that this interpretation was submitted as a result of a question from Board Member Alfonso Fernandez-Fraga. He advised that the interpretation was regarding **Section [F] 909.18.8.3**, as to “Who is the responsible registered design professional” and “What is the accountability of the responsible registered design professional for by signing and sealing the report.”

Mr. Herbert Gopman inquired if the engineer could perform all of the work and including preparing the report.

Mr. Goolsby remarked that some question as to how to fit this criterion into the designing process and sealing of the test report. In addition, Mr. Goolsby added that the engineer of record had no role in supervising or conducting the test, they are just reviewing the test for consistency with the design. He indicated that this issue was discussed with the Building Officials recently and they were in consensus that the engineer is reviewing and accepting the report in this process.

Upon some discussion, Mr. William Derrer moved to accept Staff’s interpretation that “*the responsible registered design professional*” is the engineer engaged or employed by the “*Special Inspection Agency*” performing the required test and the smoke control reports must signed and sealed by that engineer. In addition, the signed and sealed test report must be reviewed by the design professional of record for the project to ensure that the design intent has been satisfied. Mr. Richard Horton seconded the motion. The *motion carried unanimously*.

Mr. Fernandez-Fraga then raised some concerns regarding **Section [F] 909.18.8.2 (Qualifications)** and inquired if the Special Inspection Agency is required to have expertise in all three listed areas of fire protection engineering, mechanical engineering and certification as air balancers through one person.

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**REGULAR AGENDA INTERPRETATION Cont...**

Several Board members clarified that the designated special inspection agency or entity could meet the criteria of expertise through qualifications in various ways, including having an expert in each area.

Mr. Gregory Pierce recommended that Staff review additional information regarding Section [F] 909.18.8.2 and return to the Board with any clarification to determine if further interpretation is needed. Mr. Paul Smith seconded the motion. The *motion carried unanimously*.

**REPORT #1 – CERTIFICATION SUBCOMMITTEE – Certification of Inspectors/Plans Examiners for March 2014**

Mr. Rolando Diaz informed the members that the following individuals were being recommended for approval of New Certification for March 2014:

<b><u>INSPECTOR:</u></b>	<b><u>REPRESENTING:</u></b>	<b><u>DISCIPLINES:</u></b>
<b><u>Alonso</u></b> , Francisco J.	City of West Miami	Building Official
<b><u>Arronte</u></b> , Miguel T.	City of Aventura	Chief Building Inspector
<b><u>Castillo</u></b> , Orestes	Bal Harbour Village	Electrical Inspector Plans Examiner Electrical
<b><u>Corcuera</u></b> , Gonzalo	Town of Miami Lakes	Mechanical Inspector Plans Examiner Mechanical
<b><u>Evers</u></b> , Charles L.	Bal Harbour Village	Building Inspector (Structural) Chief Building Inspector Plans Examiner Building Roofing Inspector (Comm.) Roofing Inspector (Res.)
<b><u>Fernandez</u></b> , Ernesto F.	Miami-Dade County	Mechanical Inspector Plans Examiner Mechanical
<b><u>Ferrer</u></b> , Manuel	Bal Harbour Village	Plans Examiner plumbing Plumbing Inspector
<b><u>Leader Jr.</u></b> , Warren A.	Miami-Dade County	Mechanical Inspector
<b><u>Martinez</u></b> , Camilo	Miami-Dade County	Chief Mechanical Inspector Chief Plumbing Inspector
<b><u>Pizano</u></b> , Celso	Bal Harbour Village	Chief Mechanical Inspector
<b><u>Rodriguez</u></b> , Gaspar J.	City of Homestead	Building Inspector (Structural) Plans Examiner Building Roofing Inspector (Comm.) Roofing Inspector (Res.)
<b><u>Rodriguez</u></b> , Gaspar J.	Town of Medley	Building Inspector (Structural) Plans Examiner Building Roofing Inspector (Comm.) Roofing Inspector (Res.)

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*Certification Report cont...*

<u><b>INSPECTOR:</b></u>	<u><b>REPRESENTING:</b></u>	<u><b>DISCIPLINES:</b></u>
<u><b>Rodriguez</b></u> , Luis F.	City of Doral	Plans Examiner Structural
<u><b>Rojas</b></u> , Jorge R.	Miami-Dade County	Plumbing Inspector
<u><b>Sanchez</b></u> , Alfredo	City of Aventura	Electrical Inspector Plans Examiner Electrical

Chief Virgil Fernandez moved to **approve** the **New Certification** report as called by Mr. Diaz. Mr. Pierce seconded the motion. The *motion carried unanimously*.

Mr. Diaz then advised the Board that **Mr. Iqbal Tahir** was being **added** to the **New Certification** list for the month of **March**.

<u><b>INSPECTOR:</b></u>	<u><b>REPRESENTING:</b></u>	<u><b>DISCIPLINES:</b></u>
<u><b>Tahir</b></u> , Iqbal	City of Sunny Isles	Building Inspector

A motion was made by Mr. Pierce to **approve** Mr. Tahir for **New Certification**. Mr. Barnes seconded the motion. The *motion carried unanimously*.

Mr. Diaz then announced that the following individual was being recommended for **rejection** for **New Certification** for 2014.

<u><b>INSPECTOR:</b></u>	<u><b>REPRESENTING:</b></u>	<u><b>DISCIPLINES:</b></u>
<u><b>Rojas</b></u> , Jorge R. <i>(The applicant is missing the required experience with the Mechanical Contractor's license.)</i>	Miami-Dade County	Mechanical Inspector

Mr. Diaz advised the Board that the Certification Subcommittee recommended approval of New Certification for Mr. Rojas, being that he is only month short of the requirement and will comply with the five-(5) year experience on April 9<sup>th</sup>, 2014. At this time, Chief Virgil Fernandez moved to **approve** Mr. Rojas for **New Certification**. Mr. Utterback seconded the motion. The *motion carried unanimously*.

**NON-AGENDA:**

Mr. Diaz then advised the Board, as information in the report, that in the absence of the Building Official for Unincorporated Miami Dade County, Michael Goolsby would be acting in the capacity of Interim Building Official.

At this time, Mr. Goolsby took the opportunity to recognize Board Member Paul Smith on his retirement from the United States Air Force. The Board congratulated Mr. Smith for his service.

Mr. Smith informed the Board that he has been serving in the United States Air Force for 33 years and thanked them for their warm wishes.

*There being no further business, the meeting adjourned at 1:35 P.M.*