

Regulations and Codes Conference Call Notes

April 26, 2012

1:00 – 3:00 pm (PCT)

Facilitators: Bill Shoaf, EJ Martinez, and Sally Richman

Notes: Marjorie Titus

13 Attendees (staff from):

Public Safety Department – LA County

San Diego County OES

FEMA

City of Rancho Cucamonga – Community Services Department

Local Initiative Support Corporation (LISC)

LA Housing Department

Army Corps of Engineers

Building Industry Association of LA County

Allstate Insurance

Beacon Management Group

- Placement of temporary housing units (RV's, trailers) on private property
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- Generally, what type of waiver/deferment would be needed?
 - FEMA not waivers, but general permit process, to get a permit to install a manufactured housing unit on a private site – I have found in catastrophic responses, the locals do not have the staff that can issue the permits in a timely manner – we had to get federal TA to assign people at the local level to help in permit processing – is this a concern at the local level?
 - This has come up in the past and is a one focus. A great impediment is if whether the local level is prepared to receive that assistance when it comes.
 - Are there any experiences with local government who were able to do a quick/efficient job with this? A best practice? Or without needing the TA?
 - In Texas, after Ike, they did have agreements internally and with other State agencies and other communities who come in on a MAA. Look internally or other areas and come up with a MAA and with other localities who may not be impacted – suggestion.
 - Beyond that, anything that frustrated you that could have been done with preplanning?
 - One thing I saw is certain activities that are taken at that level to just get the job done and government up and running – reimbursable under Stafford Act and PA program, you could talk with PA folks about that – but maybe we can do a little more of – preplanning – possibly having a contract or mechanism in place, for contractor support
 - Want to mention the use of a GIS or geocoding system so it can be mappable and electronic – very useful and productive to look at where the concentration of efforts and accomplishments/production is really

- occurring – tools to help track areas of concern and where work has already been done and in progress; suggest a GIS platform
 - GIS incredibly helpful – good suggestion, since smaller jurisdictions may not have that; something we need to explore and address in the DHPG – could help show to the public and the local officials where things are being done, where to deploy more resources and where to put more outreach, etc. – also Damage Assessment Module tool – part of a large grant – part of the ATC – 20: testing and finalizing and presenting to region and beyond for free (funded by FEMA)
- Would it include tents, or would different code requirements apply?
- Assuming homeowners ‘camping out’ on their property is an option, what would be needed to allow sanitation options (i.e., Porta-potties, centralized facilities)?
 - From Ben Bower via online chat: Might be able to get information on HOA's here:
<http://www.caionline.org/chapters/find/Pages/ChapterDetails.aspx?id=GLAC>
- Legal basis for local government to override home owner association rules in an emergency?
 - HOAs increasing throughout SoCal; different “versions” – this can potentially impact reconstruction, rehabilitation, or “camping out” on the properties. Some HOAs may be small and have their own private streets; some HOAs are bigger where they encompass communities with public streets, but the HOA takes care of landscaping and parking, construction sort of things. These things apply to this discussion as well.
- Examples/models of existing code
 - Any of these to help expedite post-disaster inspections, etc.? Or any you would like to see?
 - Building Industry Assoc of LA County – builders face what we term as “conflicting requirements” – one dept asking to enact one type of outcome on the property and other dept asking another thing – can’t do both – big part of construction process is trying to find balance of competing interests
 - Such as in an extreme disaster – needing rebuilt versus repaired – a lot of issues will come into play and will be very challenging for cities – are they going to rebuild what was already there or rebuild in alignment with new overall vision - which may be different then before. How will this be accomplished with existing property owners? What gets rebuilt in this extreme situation? Ask cities to look at the ongoing process of reviewing codes and finding any internal inconsistencies in those codes –those are what become exposed and become a problem in a crisis

- Can you send us a few examples of “conflicting interests”? We are looking at all the bottlenecks. To help the jurisdictions get a good review of their own codes – some examples to pass through.
 - Holly can do this – we work mostly with single family/residential construction. Another thing when building new is a reality for builders are fees, not just fees for processing for staff time, etc. but also for impact fees in California that you may not run into in other parts of country. Such as fees for roads, parks, schools, to the extent that if someone is rebuilding a 2 BR home to 3 BR – how will this work, if they change the design and footprint, what are the implications for that?
 - Know of any jurisdictions who have waived or deferred? If roads and schools have already been built, don’t need fees for that....
 - I can check with folks in San Diego from fires to see if they ran into any issues, and would want to make sure all that is waived because it’s another cost impediment to rebuilding
 - Impact fee may also be something under PA (for schools and roads)
 - Any lessons learned with this from other disasters with residential destruction in other parts of the country?
 - FEMA – certainly some best practices and lessons learned from Midwest floods (Iowa), you can take a look at this the LTCR planning and Greensburg Kansas – built back more disaster resistant. Recommends FEMA website – Rebuild Iowa
 - I worked for the State of Iowa and am familiar with RIO (Rebuild Iowa Office)
- Other barriers/problems, or anything you wish jurisdictions had in place?
 - Allstate – looking at BP disaster; hopefully people came out with new inventions after this. If we had a major disaster, we’d also likely have a bunch of entrepreneurs that would devise new living structures that currently don’t meet code currently, but could eventually and getting this approved. Thinking specifically of the building industry and we as insurance companies insure those things. Barrier identification? Some type of innovative structures or material that have yet to be put on some type of building code that could be of significant benefit or concern (an advanced approval process for new, innovative ideas).
 - Are there ways to expedite approval or process to say something is within specific codes?
 - There is a potential for doing this in advance. There are some pre-fab products that are being considered and I’ll get calls from builders who are interested in this, and there are planning barriers in terms of permanent housing. A way to approve this for disaster recovery hasn’t been part of equation but could be. Logistical and legal barriers when in the recovery phase regards to rebuilding and reconstruction, etc.
 - Need for coordination between building departments and requirements to expedite – we typically see in the normal process it is repetitive in

section process over and over again in order to get a building prepared for occupancy, but when looking at trying to recover a huge number, then the existing systems will bottleneck. Must have a more streamlined process. I can reach out to some peers who have dealt with recent disasters and see what they have come up with and can share with you. I'm working on right now – a new EPA requirement related to home remodeling, and to for contractors working with lead paint (huge for LA), very few contractors who are actually certified – this is an area that will be a log-jam for complying with these requirements.

- A key potential block, if we had to do emergency certification training for contractors, is that something that could be supported with Federal funds, whether FEMA or HUD, or be put in the declaration and be part of budget? (rapid training to gear up for rebuilding)
- Would have to consult with PA folks for FEMA perspective – only possibility might be through PA –but would have to defer to them on this and eligibility and criteria – not aware of it – if you're talking preparedness type grants, that money may be acquired under certain grants could be used for that type of training, but more for preparedness and preceding events, but maybe not when an emergency is occurring – but possibly grant money may be an option
- 3M in CDBG funds (for Northridge) was for residential – had weekly seminars for Davis-Bacon Wages/compliance – just wondering how we would pay for these things? We will follow up on this.
- We provide a certification class as a matter of course and can partner with cities to inform contractors to a greater degree because many should be getting training now versus after a disaster so it will set you up well for when a disaster occurs. May be a non-financial issue for you, or maybe not one as demanding. Big challenge - there is a lack of awareness of these training opportunities. Municipalities could possibly assist with letting the contractors know in addition to the work that we do.
- An opportunity for outreach
- Issue - how well can building department keep up? What will be when does something being rebuilt, when is "new"? How much of tear down is considered a remodel? Permit process differences. Under normal – have to go back to planning department for determination –how would it play out in this circumstance, if someone wants to tear down, can they rebuild the same thing? How does this get determined and approved? Cities need to be prepared for these decision points.
- Encourage locals to review policies where it's going to say "repair" versus "new construction" and associated permitting requirements
- A reality – whenever there's a disaster you see unscrupulous contractors to do work – are there contractors who can mobilize and at what scale? How does a property owner who is repairing know they are working with credible contractor, etc? All types of considerations.

- Allstate– we get it after every disaster – State Contractor Licensing Board does what it can to get word out
- Need for a public information program for recovery to emphasize that they need to be sure of contractors credibility; implies a method of somehow helping the public know who those legitimate contractors are
- That information is available through the State Department of Insurance, but when it's post-disaster, it's online so many may not be able to access that information (power outages, etc.)
- Radio may be a source of information for this when nothing else works. This is an example of public service announcements or connections that we should have pre-established with the media; maybe LAC can have print-outs for the public – we may not have power and access, what are alternative ways to let people know?
- When checks are cut to residents, is there any kind of “beware of scammers?”
- We do have a kit that has the entire claims process outlined, very simple but does state this info; and when in post-cat scenario, contractors are very aggressive in drumming up business – even at the places of recovery where comprehensive lists of contractors –such as in San Bruno - it is non-stop at Red Cross shelter for blocks outside that shelter where contractors park and go hand out their flyers or card to anyone who puts their hand out – and when in a metro area, could be a few thousand who do that, reputable and non-reputable
- Do disasters bring out innovation in housing?
- Yes, housing is what are prevention techniques – such as shut-off valves, improved technology and building codes revised, but yes – in the long-term, all of these new technologies ultimately get approved by a building department before they can get used – can be a laborious long process for this, even under normal circumstances. But not sure we'd want to encourage these to be put in houses before approval.
- Jim – This report could be a catalyst in a number of areas, such as building innovation
- NY/NY/PA grants programs – had a competition for innovative interim housing –winner included shipping containers. Possibly a pilot program in NYC. May appeal to those of us near a harbor, plenty of containers here. We've been doing research on local manufacturers housing producers in the region. We will give links on this type of stuff in our guide and on our website so we can be resource for others.
- We do have an excess of shipping containers currently
- Office building re-use; relaxation of building codes, some in downtown LA, use of obsolete office space – example of an ordinance, we would like some from you as well to put up for others to see as examples