

JOINT PRACTICES COMMITTEE

Minutes of JPC Meeting

January 22, 2016

Albuquerque, New Mexico

Members Present:

Raymond Vigil, Chair, Professional Architect Member
Martin Romero, Treasurer, General Construction Bureau Chief, Construction Industries
Division, Regulation and Licensing Department, Public Member
George Radnovich, Landscape Architect Member
David Cooper, Professional Surveyor Member

Board Members Available by Teleconference

Ronald Bohannon, Vice-Chair, Professional Engineer Member
Tara Rothwell-Clark, Professional Architect Member

Staff Present:

Wren Propp, Director/CFO, New Mexico Board of Examiners for Architects
Michele Barela, Compliance and Records Clerk/Receptionist, New
Mexico Board of Examiners for Architects
Melarie Gonzales, Budget Analyst, New Mexico Board of Examiners for Architects
Perry Valdez, Executive Director, New Mexico Board of Licensure of Professional Engineers
and Professional Surveyors

Absent:

Karl Gil Berry, Landscape Architect Member

Others Present

Joe Maldonado, Board Administrator, Landscape Architect Board

JPC January 22, 2016

I. Convene, Roll Call Introduction of New Members and Guests

Mr. Vigil called the meeting to order at the approximate hour of 2:15 p.m. Roll was taken and a quorum was determined to be present.

II. Approval of Agenda

Mr. Vigil asked for a motion to approve the agenda.

Motion: to approve the agenda.

By: Martin Romero
Second: George Radnovich
Board Vote: Passed unanimously

III. Approval of Minutes from August 14, 2015

Mr. Vigil asked for a motion to approve the August 14, 2015 minutes as presented.

Motion: to approve the August 14, 2015 minutes as presented.

By: Martin Romero
Second: David Cooper
Board Vote: Passed unanimously

IV. Chair Report

Mr. Vigil stated that there are a couple of items he would like to complete before the end of the fiscal year. The Landscape Architect's Board will lead the Joint Practices committee in July. Mr. Vigil would like to focus on the items in the agenda today.

V. Committee Reports

A. Proposed Changes to the Rules and Regulations

Mr. Vigil stated that there were some very specific changes to the Rules and Regulations that were discussed and voted upon at the last meeting, as well as some general clean up. Mr. Vigil reviewed the changes. They are:

JPC January 22, 2016

Page 1

1. As recommended by the Attorney General's office, the name of the document has changed from "Rules and Regulations" to "Standing Rules".
2. The approval date has changed to today's date.

Page 2

1. Under III. ORGANIZATION D and E: there was language to clean up in regards to Architect, Engineer, Landscape Architect and Surveyor and to keep the order consistent throughout the document. Ms. Propp made a command decision and had the titles reflect what is in the Procurement Code, which follows this order: Architect, Engineer, Landscape Architect and Surveyor.

Page 3

1. Under D. #2, it now reads as: "Provide travel vouchers for Joint Practices Committee members of their prospective board at each meeting, as allowed by each individual Board."
2. Item C. and D. were switched because of the description of members. Mr. Vigil recommended this order: Chariman, Vice-Chairman and Treasurer, in order to follow protocol.

Page 4

1. Under section B. Order of Business of Meetings, add: #7. "Unfinished Business" after "New Business"

Page 5

1. On the first sentence, paragraph 1, change: "through Property Control Division" to "through their representative".

Mr. Valdez recommended one additional change. They are: on page 1, NAME AND PURPOSE #1: the second paragraph should read: BLPEPS and to have this acronym be consistent throughout the document.

Mr. Vigil recommended circulating the signature page at this time, to receive signatures from the committee after it is approved today. The other signatures needed, can be sent electronically.

Mr. Bohannan asked if the documents needed to be approved by their prospective Boards.

Mr. Vigil stated that this is the next step. He clarified that this item was already voted on in the last meeting. Today, the committee discussed a few additional changes that were a result of the last meeting. Now, each representative here should take this to their Board and get a resolution, signed by the current Chair and then bring it back to the Joint Practices Committee. The resolution is separate. There is a Resolution 2016 that replaces the 1990 document and it reflects a summary of what the committee has agreed to. The document will be signed by the Architects Board, and then it will be sent to the next Board, depending on when each Board meets and then pass it on.

Mr. Vigil motioned for an approval on the Joint Practices Committee's revisions to the Standing Rules and then a motion to move forward with the resolution to the respective Boards for approval.

JPC January 22, 2016

Motion: to accept the Standing Rules proposed changes discussed above and to include the amendment to add BLPEPS throughout the document.

By: George Radnovich
Second: David Cooper
Board Vote: Passed Unanimously

Mr. Vigil motioned for an approval to move forward with the resolution to the respective Boards for approval.

Motion: to move forward with the resolution to the respective Boards for approval.

By: George Radnovich
Second: Ron Bohannan
Board Vote: Passed Unanimously

B. Handbook for New Mexico Building Officials update

Mr. Vigil stated that at the last meeting, there was an update from Mr. Romero regarding the Handbook of New Mexico Building Officials but there was not a formal vote. Mr. Vigil stated that the goal is to confirm items discussed, to vote on this issue today and then formalize the discussion. The committee will have one more meeting before the end of the fiscal year and Mr. Vigil stated that the goal is to formalize the Handbook by the end of the fiscal year.

Mr. Romero reviewed the changes to the Handbook for New Mexico Building Officials. They are:

1. Under 2. Single Seal Requirement and 3. Seals of Multiple Professions Requirement, change: \$400,000 to \$600,000. Mr. Romero stated that the proposed amount will be alignment with the Rules and Regulations coming from the Engineer's Board.

Mr. Vigil stated that in the last meeting, it was recommended to take this issue back to each Board for discussion. The Architect's Board is intending to move forward to increase the amount to \$600,000. The issue now is trying to get the proposal presented at the legislative session simultaneously with the sunset.

Mr. Romero added that the Construction Industry Division rule, under General Provisions/Permits states the current amount is \$400,000. Their agency needs to do a rule change in the future.

JPC January 22, 2016

Ms. Propp stated that the \$400,000 amount is not in the Board's statute, it is in the rule. If there is a rule change prior to the next 2017 legislature, it will be a quicker process than a statutory change.

Mr. Radnovich stated that the Landscape Architect Board does not have a designated amount and they will discuss the issue at their next Board meeting.

Mr. Vigil stated that he hoped on implementing the \$600,000 amount, with the provision that the rule gets implemented by May 2016 and that this is good timing with the changes that are coming from Construction Industry Division.

Mr. Romero continues with the changes below:

2. Under Section III. Role of the Architect, Engineer, Surveyor and Landscape Architect, A. Role of An Architect, #1. add: "accessibility" after parking.
3. Under Section III. Role of the Architect, Engineer, Surveyor and Landscape Architect D. Role of the Landscape Architect, #1 add: "accessibility" after parking.
4. Under Commonly Asked Questions and Answers C. Requirements for Professional Seals, #9, 10 and 11, strike: \$400,000 and change to: \$600.000.
5. Under Commonly Asked Questions and Answers C. Requirements for Professional Seals, #13, add: "Modular non-assembled component panels" before roof truss systems.
6. Under Commonly Asked Questions and Answers C. Requirements for Professional Seals, D. Practice of Other Disciplines, #17 and #18, strike: \$400,000 and change to: \$600.000.
7. Under Commonly Asked Questions and Answers C. Requirements for Professional Seals, D. Practice of Other Disciplines, #29, add the following last sentence: "...However an architect registered in New Mexico may assume responsible charge of projects by following requirements per NMAC 16.30.3.18 C."
8. Under Appendix A. Sample Certification Of Exempted Buildings, #4 strike: "uniform building code" and change to: "International Building codes"
9. Under Appendix A. Sample Certification Of Exempted Buildings, #5, add the following last sentence: "Keeping in mind the building official or the plan review official is authorized to require submittal documents to be prepared and sealed by an architect, registered in accordance with the New Mexico Architectural Act and the rules promulgated pursuant thereto, or by a professional structural engineer, registered in accordance with the New Mexico Engineering and Surveying Practice Act, and the rules promulgated pursuant thereto. An architect or engineer stamp is required for all uses listed in table 1004.1 in the IBC".
10. Under Appendix B. Minimum Standards for Code Submissions, Landscape Plan, strike out the whole sentence and change to: "Not required for building permit". Mr. Romero stated that it is not required under General Provisions but some municipalities reserve the right by ordinance, to require a permit.
11. Under Appendix B. Minimum Standards for Code Submissions, Irrigation Plan, strike out the whole sentence and change to: "Not required for building permit".

JPC January 22, 2016

12. Under Appendix B. Minimum Standards for Code Submissions, Foundation Plan, strike: “Provide a geotechnical report or information” and add: “Where quantifiable data created by accepted soil science methodologies indicate expansive, compressible, shifting, or other questionable soil characteristics are likely to be present at a particular location, a soil test to determine the soil’s characteristics at a particular location shall be performed”.

Mr. Vigil was concerned that for smaller commercial contractors to have to get a permit could be expensive and there could be some push back for that.

Mr. Romero noted that this has been in rule since 2006 and there has been no issues. He added that this is new language created because of state-wide soil issues. There is a code review meeting on January 27 and Mr. Romero will bring this issue up to at least consider a change from “shall” to “may”.

Mr. Valdez suggested to state: “Shall be performed...” and add: “per...” and site the rule.

13. Under Appendix B. Minimum Standards for Code Submissions, Mechanical System, strike: “Submit energy conservation calculations per State of New Mexico” and change to: “Must meet the requirements of the current New Mexico Energy Conservation Code and New Mexico Mechanical Code”.
14. Under Appendix B. Minimum Standards for Code Submissions, Plumbing System, add: “and” before show point”, and strike: septic tanks, pre-treatment of sewer systems and water wells and add: “Must meet the requirements of the New Mexico Plumbing Code”.
15. Under Appendix B. Minimum Standards for Code Submissions, Electrical System, add: “Must meet the requirements of the New Mexico Electrical Code”.

Mr. Romero requested one additional change to add to the document regarding Solar PVC Systems. He would like to add the Construction Industry Division rule for Solar PVC Systems. This is where a professional seal requirement is required on top of a roof with certain weight load standards that cannot be confirmed and if the load is greater than 5psf, then an engineer would have to stamp it. This should be added to the Permit Requirement area.

Mr. Vigil clarified that this adds a provision for engineer requirement at such time if required, per the rules for installing solar PVC systems.

Mr. Bohannon stated that there is a request from the City of Los Alamos regarding stamping signs and the City of Los Alamos would like considerations for sign language to be added to the Handbook for Building Officials.

Mr. Valdez stated that Los Alamos County would like the committee to consider having an engineer stamp certain types of signage. According to the International Building Code, it talks about roof

JPC January 22, 2016

mounted signs needing to be prepared properly but there is nothing regarding stamping. It will ensure that mounted signs are able to withstand weather and seismic conditions.

Mr. Romero stated that his concern is that this issue needs to be addressed in rule in order to be enforceable. The Commercial Building Code is the rule for Construction Industry Division and now is the time to address the language.

Mr. Valdez stated that he took the issue to the Engineer Board meeting and that Board asked Mr. Valdez to bring it to the Joint Practices committee first.

Mr. Bohannon stated that permits for billboards go through the Department of Transportation if the location of the sign is outside the municipal district and a Structural Engineer Foundation permit is required in city areas. Depending on where the sign is placed, free-standing or a building mounted sign, it could be a grey area.

Mr. Vigil mentioned that the general public uses the Handbook for Building Officials as a reference for construction. There should be a reference to signage and state that they need to confirm requirements by contacting their local governing regulation agency at that location. In other words, it is up to Los Alamos County to create a sign code. He suggested stating that "seal requirements are per the local jurisdiction where the sign will reside".

Ms. Propp will add language to Appendix B that states something like, "Signs- check with local jurisdictions".

Mr. Romero stated that if the Joint Practices committee creates a rule, it needed to be clearly defined first, because of all the types of signage out there. He will bring up the issue at the next Board meeting and then take it to the Technical Advisory Council (TAC) meeting also.

Mr. Bohannon would like to take the issue back to the Engineer's Board to structure a few paragraphs and bring it back to the Joint Practices committee.

Mr. Vigil stated that along those lines, in order to memorialize these edits, there could be the potential to vote on it today, if the committee were to get provisional approval to the edit, then that could also be included for the next meeting. Mr. Vigil stated that the City of Los Alamos already has a requirement for signage.

Mr. Valdez stated that the request is coming from the County of Los Alamos. Los Alamos has required new commercial signs to have an engineer set of drawings for the permitting of wall hung and roof mounted signs. The purpose is to ensure that the sign is capable of handling loads, seismic considerations and weather conditions. Under what circumstances signs need engineering would, would be helpful to the public and governing agencies.

JPC January 22, 2016

Mr. Vigil stated that by adding generic language referring to check with local municipalities would cover it. There are various types of signs and perhaps there could be an engineering discussion about that.

Mr. Romero stated that the language should say “check with local planning and zoning department.”

Mr. Bohannon stated that Mr. Valdez will bring this issue back to the Engineer’s Board for discussion. They will report back to the committee.

Mr. Vigil added that the committee will address the issue in this edit and if the Engineers Board has changes, the committee can amend it. So, there are two additional edits to the Handbook for Building Officials. The last edit to the Handbook for Building Officials was in 2006 and he thanked the committee and Mr. Romero for their efforts on making these changes.

David Cooper had additional edits. They are:

1. Under Requirements, Sealing Surveyor’s Work strike out “engineering or” and add: “for the surveying work represented by the documents”.
2. Under the Role of the Surveyor, in the parenthesis say: “Boundary survey, ALTA/NSPS survey or Improvement Location Report”.
3. Under the Role of the Surveyor, #2 strike: Improvement Survey, ALTA survey and add: “Improvement Location Report”.

Mr. Vigil asked Ms. Propp to include all the changes in the Handbook for Building Officials and present it for the next committee meeting for approval and memorializing.

Ms Propp asked if the prospective Boards need to review this document before the next Joint Practices committee meeting.

Mr. Vigil stated that if the committee could handle these changes like the Standing Rules, because the committee just needs a resolution that the committee has formalized a sign off by each Board on behalf of the Joint Practices Committee. After the edits, each Board can review the, but there should be no revisions because the committee has already asked the Boards for changes. This Handbook for Building Officials will be available on each Board’s website. The Engineering Board will be able to make hard copies of it.

Mr. Vigil motioned to approve the edits to the Handbook for New Mexico Building Officials.

Motion: to approve the edits to the Handbook for New Mexico Building Officials.

By: Martin Romero

Second: George Radnovich

JPC January 22, 2016

Board Vote: Passed Unanimously

6. Board Reports

A. Board of Examiners for Architects

Mr. Vigil reported that Ms. Propp will be resigning as Executive Director of the New Mexico Board of Examiners for Architects. Melarie Gonzales, Budget Analyst at the New Mexico Board of Examiners for Architects will be Acting Director.

Mr. Vigil reported that the Board was unable to get statute changes completed at this time. In addition, the agency will possibly be moving to another location soon.

B. Board of Landscape Architects

Mr. Radnovich stated that he has been elected Chair of the Landscape Architect's Board. He stated that almost half of the registered Landscape Architects did not renew this year. The agency will be moving to one board meeting a year. Mr. Radnovich stated that Mr. Berry is not on the board although he was a past member. Can non-Board members serve on the Joint Practices committee?

Mr. Vigil read the rule and it states that at least one of the two members should be a Board member.

Mr. Radnovich stated that they have new legal counsel and his name is Rich Ward.

C. Board of Licensure for Professional Engineers and Professional Surveyors

Mr. Bohannon stated that Mr. Valdez was appointed as Executive Director.

Mr. Valdez stated that 147 applications were presented to the engineering committee on licensure for exams. They audited 10 engineers and 10 surveyors. They are in the process of contracting with a PE Investigator. They have 28 pending cases. Mr. Valdez stated that they have hired a new Deputy Director and her name is Annette Thomson Martinez. Mr. Valdez added that this was the first year that the Engineer's Board had offered an ethics class for continuing education.

Mr. Bohannon stated that the Surveyor's Board is in the process of creating a rule update next month. And they are working on a sunset clause to update the Act and rules.

JPC January 22, 2016

Mr. Cooper stated that the Professional Surveyor's Board met with Land Use Affiliates which is a sub-group of New Mexico Association of Counties and is focused on land planning in counties. It was an informative meeting and there will be possibilities for outreach programs.

7. New Business

This item was already discussed under 5 B.

8. Old Business

Maintaining a Record of JPC Policies/Determinations

Mr. Vigil stated that the Landscape Architect Board will take over the Joint Practices Committee in July. The committee has decided to create a way to track Joint Practices issues into a database for institutional knowledge and for the benefit of the future members of the committee.

Ms. Barela created a database in Excel to track these issues. It could pass electronically to the new committee agency for them to maintain and update the database. This database will house all the past and current information and documents. Ms. Barela explained the structure and use of the database. Ms. Barela will continue to populate the database, based on the information compiled from past meetings and correspondences.. Her concern is that she may not have complete or efficient information from these files but she is in the initial phase of data entry. She asked the committee to forward her any information that they feel may be pertinent. The committee may want to add additional tabs or subjects. She stated that the committee needed to decide what to do with the minutes. She created a binder for the minutes but the committee may want to put them in the database.

Mr. Vigil recommended having the minutes scanned and having them available electronically also.

Mr. Radnovich suggested having the database housed in a stable place, instead of passing it around, maybe housed at Regulation and Licensing Division.

Mr. Valdez offered to house the minutes on their website under JPC and all that information is housed in a cloud.

Mr. Vigil stated that everyone should have access to it and maybe a cloud version would be good.

JPC January 22, 2016

9. Communications

No issues

10 Set date and location of next meeting

Mr. Vigil announced the next meeting will be in Santa Fe in May/June timeline and as it gets closer, he will create a date and time.

11. Adjourn

Mr. Vigil motioned to adjourn the meeting at 4:35 p.m.

Motion: to adjourn the meeting at 4:35 p.m.

By: Martin Romero

Second: George Radnovich

Board Vote: Passed Unanimously

Whereupon the regular open meeting of the Joint Practices Committee adjourned by Mr. Vigil at the approximate hour of 4:35 p.m.

Respectively submitted,

s/ Raymond Vigil
Mr. Raymond Vigil, Chair

8/11/17
Date