



**WHPA Compliance Online Permitting Working Group  
Teleconference Summary Notes  
Monday, July 10, 2017  
Scheduled for 9:00am – 10:00m PDT**

**Call to Order**

Committee Co-Chair Allison Paul (CHF-CIRB) called the meeting to order at 9:03 a.m. PDT. The meeting audio was recorded.

**Roll Call**

WHPA Staff (Wendy Worrell) conducted roll call based on the current WHPA Online Permitting Working Group roster. As no voting panel has been assigned in favor of consensus voting, members are organized by voting eligibility status. The meeting was attended by the following 15 participants (or proxies) with a quorum (8+) of eligible members.

Organization	First Name	Last Name	WHPA Category	Attendance
<b>Voting Eligible</b>				
ACCA (Air Conditioning Contractors of America)	Todd	Washam	Contractor Association	P
Air Conditioning Guys	Louis	Fuentes	Contractor	P (Co-Chair)
CALBO (California Building Officials)	Mark	Meyers	Codes & Standards Official (Association or Jurisdiction)	P
CalCERTS, Inc. (standing Proxy)	Russ	King	Certifying Body	P
CHEERS	Bob	Johnson	Certifying Body	P
CHF-CIRB (California Homebuilding Foundation, Construction Industry Research Board)	Allison	Paul	Research Organization	P (Co-Chair)
DNV GL – Energy	Amber	Watkins	Energy Efficiency Program Consultant	P
Enalasy	Eric	Taylor	Third Party Quality Assurance Providers	P
EnerGtech Experts	Brent	Locke	Other Stakeholder	P
IHACI (Institute of Heating and Air Conditioning Industries)	Bob	Wiseman	Contractor Association	P
<b>Not Voting Eligible</b>				
SCE (Southern California Edison)	Gary	Shushnar	California IOU	P
<b>Guests</b>				
Building Media, Inc.**	Craig	Savage+	Educator, Trainer	P (NEW)
Charles F Segerstrom Consulting (Consultant to SDG&E)	Charles	Segerstrom	Energy Efficiency Program Consultant	P
<b>WHPA Staff</b>				
CLEAResult	Paul	Kyllo	Other Stakeholder	P (Work Product)
InfoPlast	Wendy	Worrell	Other Stakeholder	P (Host/Scribe)

\*\* Organization is Not a Member of the WHPA; + Individual is NOT Registered with the WHPA; (P) = Member Organization is Pending Approval from the WHPA Executive Committee.

**WHPA Staff Note:** Craig Savage with Building Media, Inc. was invited to participate in the OPWG by Co-Chair Allison Paul (CHF-CIRB).

**Agenda**

The following agenda was distributed to the Working Group by WHPA Staff prior to the meeting.

**GENERAL REMINDERS**

- Adherence to the WHPA **Code of Conduct** is required.
- Disclose any potential conflicts of interest as it relates to meeting content, particularly prior to any votes that may occur.
- Identify yourself prior to speaking, clarifying the organization on whose behalf you are speaking, or if you are making a personal comment.
- Mute yourself when not speaking. (\*6 will take you on and off mute.)

**AGENDA ITEMS**

- 1) **Roll Call** – WHPA Staff – 5 min
- 2) **Draft Survey Results Review** – WHPA Staff and/or Co-Chairs – 25 min
  - a) Contractor Survey (includes comments received through July 5<sup>th</sup>)
  - b) Jurisdictional Survey (initial draft)
- 3) **Facilitated Best Practices Memo Development** – Co-Chairs – 25 min
  - a) Updates (reflective of comments received through July 5<sup>th</sup>)



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- b) Section 4 (needs full vetting)
  - c) Section 5 (needs full vetting)
  - d) Conclusions (needs full vetting)
- 4) **Meeting Next Steps Overview** – Co-Chairs - 5 min
- a) Next Meeting: Monday, July 24<sup>th</sup> from 9:00am – 10:00am PDT
  - b) Next Agenda (Expected): Best Practices Memo Escalation Approval Vote, Continued Contractor and Jurisdictional Survey Results Vetting
- 5) **Adjournment** by 10:00am PDT – Co-Chairs

**Draft Survey Results Review**

The Draft Contractor Survey Results Report dated July 7, 2017 and the Draft Jurisdictional Survey Results dated July 7, 2017 were email distributed to the roster for review as reference documents prior to the meeting.

For the benefit of the new member, Co-Chair Allison Paul (CHF-CIRB) provided background reference about the Contractor and Jurisdictional Surveys.

**CONTRACTOR SURVEY RESULTS**

Co-Chair Allison Paul (CHF-CIRB) reported that the revised Contractor Survey Results Memo Draft includes comments received through July 5<sup>th</sup>, but that more editing and statistics are needed.

- WHPA Staff (Wendy Worrell) clarified that received input was updated in red text and that once the OPWG has reviewed the information, WHPA Staff can clean up the wording and structure.

In reply to Todd Washam’s (ACCA) suggestion to remove the number of contractors the survey was sent to in lieu of using percentages only WHPA Staff (Wendy Worrell) reported that per internal WHPA Staff communication, the actual distribution numbers are needed for survey validity.

**DECISION:** There was OPWG consensus agreement to keep the existing distribution and response values in the survey result reports rather than only including the percentages as had been suggested.

Todd Washam (ACCA) indicated that he did not believe anything further needed to be defined in the key findings beyond what was indicated in the draft memo. He reported that ACCA and IHACI have been arguing for a long time that legitimate contractors see value in pulling permits, which the survey data supports. Legitimate “contractors want permit pulling to be easier so there is no excuse not to do it.”

- Bob Wiseman (IHACI) confirmed Todd Washam’s comments. Bob did not see any surprises in the survey results. Contractors would like to see similarity across building departments as there are “many different hoops to go through” throughout the State of California.

Todd Washam (ACCA) noted that the results to the question about turning in those who do not pull permits to the authorities indicated that preference is for building departments and inspectors to focus on that role rather than putting it on the contractors.

- Co-Chair Allison Paul (CHF-CIRB) commented that the results were polarized between a strong “yes” (33%) and a “no – not at all” for the question on reporting noncompliance. She reminded that there had been discussion about whether the question should have been included in the survey prior to send out, but that final decision was to include it. Based on the received results, the Co-Chair asked for input on how best to create action from the results since the findings are “all over the board”.
- Todd Washam (ACCA) clarified that 67% of respondents were either a “maybe” or an “absolutely no” on reporting noncompliance. He believed that if contractors were asked again if law enforcement officials were to do the reporting rather than contractors doing it, the overwhelming majority would respond “yes”.
- Co-Chair Allison Paul (CHF-CIRB) reported that the respondent comments below the question were “pretty decisive” with one respondent indicating that it is a huge problem that is hurting their business. While the responses are opinion based, it might be something to highlight.
- Mark Meyers (CALBO) noted that there were jurisdictions that many had reported good experiences with, but that the cities of Irvine, Los Angeles, and San Jose had reported issues. He suggested that further development look at the negative experience areas to determine what worked and what should be avoided for best practices consideration.



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Amber Watkins (DNV GL-Energy) noted that although a large number of contractors were sent the survey, the return size was small at 4%. She asked if the survey could be resent.

- Co-Chair Allison Paul (CHF-CIRB) and WHPA Staff (Wendy Worrell) noted that survey distribution was initially planned as phone calls, but that budget limitations did not allow for the needed time to do so.
- Todd Washam (ACCA) confirmed that it is difficult to get contractors to respond by email or phone in the summer, but noted they are most reachable on Fridays.
- Amber Watkins (DNV GL-Energy) suggested that about a \$2,500 budget would allow a firm to do the needed phone calling. She offered to extend referrals for the work. She also asked if there were any questions to weight the contractors in terms of size, number of jobs, etcetera.
- Co-Chair Allison Paul (CHF-CIRB) confirmed that the survey was intentionally kept simple to encourage response, and that the focus was more on whether they would use an online permitting system, rather than on the other areas suggested for weighted evaluation.

**ACTION:** WHPA OPWG Members to provide detailed comments to WHPA Staff ([wendy@performancealliance.org](mailto:wendy@performancealliance.org)) on the Contractor Survey, particularly for suggestions on what to note in the Key Findings' section.

**ACTION:** WHPA Staff to check with appropriate Staff Leadership about budget possibility for phone call follow-up as a means to increase Contractor and Jurisdictional Survey response rates.

#### JURISDICTIONAL SURVEY RESULTS

Co-Chair Allison Paul (CHF-CIRB) reported that the Jurisdictional Survey Results Memo is an initial draft and that the online survey had been distributed via invitation from WHPA.

- Amber Watkins (DNV GL-Energy) noted that if someone had elected to be removed from a prior SurveyMonkey survey, they would not have received the online survey invitation.

**ACTION:** WHPA Staff (Wendy Worrell) to check with WHPA Staff (Scott Johnson) to see if any survey invitation emails were not delivered due to the SurveyMonkey opt out feature.

- Co-Chair Allison Paul (CHF-CIRB) noted that a lower response rate could also be because so few had experience with systems, and that cost was definitely a factor in that.

**ACTION:** WHPA OPWG Members to provide detailed comments to WHPA Staff ([wendy@performancealliance.org](mailto:wendy@performancealliance.org)) on the Jurisdictional Survey, particularly for suggestions on what to note in the Key Findings' section.

#### **Facilitated Best Practices Memo Development**

The reference Draft Best Practices Memo dated July 7, 2017 was email distributed to the roster for review prior to the meeting.

#### CONCLUSIONS

Co-Chair Allison Paul (CHF-CIRB) facilitated discussion of the updates reflective of comments received through July 5<sup>th</sup>, with vetting focused primarily on the Conclusions' section.

- Co-Chair Allison Paul (CHF-CIRB) noted that Gary Shushnar (SCE) had made written suggestion to remove the "Additional recommendations provided by OPWG members" in the Conclusions' section as he felt that many of the comments were unsupported by any research of building departments or contractors and were not the opinion of all on the OPWG.
- Co-Chair Allison Paul (CHF-CIRB) suggested making clarifying edits rather than eliminating the content completely.
- Gary Shushnar (SCE) noted that the Contractor Survey suggests concerns about confidentiality and that the Best Practices Memo Additional Recommendation #2 about "any party interested in a particular permit should be able to login to the system and validate permit closure" violates that. He suggested that it is making it too easy for all to access confidential information.
- Mark Meyers (CALBO) clarified that permit information is public and is already covered by law.
- Eric Taylor (Enalaysys) agreed with the Co-Chair's comments that in trying to explain best practices and what has been learned, it is important to leave the "additional recommendations" in the memo document. He felt the system should be



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open for Utilities to be able to also verify that permits have been open and closed to aid the requirement for permit completion verification stated in SB 1414.

- Speaking from the contractor perspective about the confidentiality issue, Bob Wiseman (IHACI) clarified that information about the customer base on the public record is the concern, but agreed that the permit system needs to be as easy as possible. He understands that it is a public process. He personally would also be in favor of the HERS record being public as well. “Open is better” and is “what is expected”. He is in favor of keeping the “additional recommendations” in the document.
- Gary Shushnar (SCE) confirmed understanding that permits are open, but expressed concern that sales data will be made public when it should not be. He clarified that the HERS database is confidential to offset that concern. He has no problem with systems being open to anyone within the Authority Having Jurisdiction (AHJ). Gary noted that SCE teaches building inspector seminars each year and that in the smaller jurisdictions (2-3 people), jobs are responsive to the city managers, and that some areas will not let their inspectors go to the classes. He stressed the need for the OPWG to think from the building department and inspector perspectives.
- Co-Chair Allison Paul (CHF-CIRB) clarified that the relevant bullet was referring to the situation where all within the building department who need to see job information could see it.
- Mark Meyers (CALBO) felt the OPWG was discussing more than one topic. Regarding looking at information in building department permits, he did not see anything there that would be confidential or damaging. Lookup is by permit type or address, but it cannot be sorted by contractor. He does not support blocking information from the public since “we want the public involved”, including real estate agents who need to see permit history for resale, etcetera. The focus is on making records available to gain clarity of what is going on and to get more engagement in the process. He would not want to limit anyone’s ability to have access. In terms of building departments and HERS inspections, he reported that ICC Chapter meetings have seen “pencil reports”. The fleet contains package units and splits. He understands the building department concerns, but noted that they should still be doing their job.
- Co-Chair Allison Paul (CHF-CIRB) reminded that there was only one question about the HERS compliance forms on the survey and that the results show that 70% said they felt there should be a reporting mechanism. She stressed the need to keep cognizant of the results and not “just opinion” within the Best Practices Memo.
- Bob Johnson (CHEERS) reported that the City of Visalia provides the ability to look up permits by a contractor license which does not keep job information confidential.
- Allison Paul (CHF-CIRB) asked if there were any concerns about the listed resources and noted that the article about the City of San Francisco system listed a number of reasons why it had not worked. She asked for volunteers to review the resources listed in Section 4 of the Best Practices Memo Draft clarifying the need to investigate “the why behind the reasons systems did not work”.

**ACTION:** Co-Chair Allison Paul (CHF-CIRB) to reach out to Nancy Carrieri (Energy Cloud) regarding the research she had done on the City of San Francisco’s online permitting system.

- Co-Chair Louis Fuentes (Air Conditioning Guys) indicated that the City of San Francisco was also looking for system wide integration of every permit, which may have caused some issue.

Per Co-Chair Allison Paul’s inquiry about timeline for completion of the Best Practices Memo, WHPA Staff (Wendy Worrell) confirmed that the initial due date was the end of June, but proposed extending the deadline to the end of August to ensure appropriate research, including vetting and finalization of the Survey Result Memos, plus additional resources for Best Practices Memo conclusion development. The Co-Chairs agreed with the recommendation.

**DECISION:** To ensure a more well-researched and vetted document prior to escalation to the WHPA Compliance Committee, the Best Practices Memo final draft was extended to the end of August.

**ACTION:** WHPA OPWG Members to further research the resources listed in Section 4 of the Best Practices Memo Draft and provide detailed comments for that section plus Section 5 and the Conclusions to WHPA Staff ([wendy@performancealliance.org](mailto:wendy@performancealliance.org)) in advance of the next meeting.

<b>MEETING NEXT STEPS OVERVIEW</b>
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The next Online Permitting Working Group meeting was confirmed for July 24<sup>th</sup> from 9:00am – 10:00am PDT. The agenda is expected to include continued Contractor and Jurisdictional Survey Results Vetting for Key Findings. *(WHPA Staff Note: To enable an extended comment period on the Survey Results Memos, consolidated comments revisions and review in advance of meeting, the next meeting was pushed back to August 14<sup>th</sup>.)*

**CLOSING COMMENTS/ADJOURNMENT**

Co-Chair Allison Paul (CHF-CIRB) adjourned the meeting early at 9:52 am PDT.

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**SUMMARY OF ACTION ITEMS AND KEY DECISIONS (from above)**

**ACTION ITEMS**

1. **ACTION:** WHPA OPWG Members to provide detailed comments to WHPA Staff ([wendy@performancealliance.org](mailto:wendy@performancealliance.org)) on both the Contractor Survey Results and the Jurisdictional Survey Results, particularly for suggestions on what to note in the Key Findings' sections.
2. **ACTION:** WHPA Staff to check with appropriate Staff Leadership about budget possibility for phone call follow-up as a means to increase Contractor and Jurisdictional Survey response rates (IN PROCESS).
3. **ACTION:** WHPA Staff (Wendy Worrell) to check with WHPA Staff (Scott Johnson) to see if any survey invitation emails were not delivered due to the SurveyMonkey opt out feature. (IN PROCESS)
4. **ACTION:** Co-Chair Allison Paul (CHF-CIRB) to reach out to Nancy Kennedy (Energy Cloud) regarding the research she had done on the City of San Francisco's online permitting system. (DONE by Louis Fuentes)
5. **ACTION:** WHPA OPWG Members to further research the resources listed in Section 4 of the Best Practices Memo Draft and provide detailed comments for that section plus Section 5 and the Conclusions to WHPA Staff. (IN PROCESS) ([wendy@performancealliance.org](mailto:wendy@performancealliance.org)) in advance of the next meeting.

**KEY DECISIONS**

1. **DECISION:** There was OPWG consensus agreement to keep the existing distribution and response values in the survey result reports rather than only including the percentages as had been suggested.
2. **DECISION:** To ensure a more well-researched and vetted document prior to escalation to the WHPA Compliance Committee, the Best Practices Memo final draft was extended to the end of August. *(WHPA Staff Note: Per post meeting decision to finalize the Memo Surveys for incorporation into the Best Practices Memo, the Best Practices Memo finalization was pushed back to September.)*