



GENERAL MEETING  
SEPTEMBER 18TH, 2013  
MISSION VALLEY RESORT  
875 HOTEL CIRCLE

# The Skim

SEPTEMBER SAN DIEGO CHAPTER MONTHLY NEWSLETTER 2013

## President's Message

I hope you all have survived the recent heat wave. Things are heating up on the Board as well. Here are a few items of interest that you should be aware of. 1) Be sure to check the recent e-mail regarding proposed State Commercial service regulations and how you can be heard on these issues. 2) The deadline to nominate a member for this year's B.K Taylor Award is prior to the Sept. meeting. Please complete the application found at our website under "forms" 3) Nominations for the

David Courey / Chapter Supporter of the Year Award are due prior to the Oct. meeting (Application in "forms"). 4) The summer picnic is set for Sat. the 21<sup>st</sup> at Santee Lakes. Bob and Jeff have planned an awesome event so do not miss it!! 5) Plans are underway for this year's Mandatory October meeting. We will be electing a new board and Chapter Supporter of the year. We will also be taking pictures and updating your listing for the new 2014 Directory. The Board will be putting together the final agenda at our Oct. 2<sup>nd</sup> meeting, so any committee chairs or members that

request to be added to the batting order need to contact me asap. The board would like to "thank" Mark Curran for stepping up to be Lead Headhunter for our next board candidates. We hope to have at least 2 members on the ballot for each position. Mark and I will do everything we can to help the new board make a successful transition. I encourage you to get involved. It has been a rewarding experience for me and I am excited to see our Chapter continue to charge ahead. Thank you, for your continued support, Mike Anderson.

## *Chapter Picnic – Sept. 21<sup>st</sup> – Opens at 11am – Ask at gate for location.*

Don't miss the **September Chapter Picnic** – Santee Lakes. The **first 30 IPSSA** members will be reimbursed the \$5 parking fee. There will be Pot luck, Raffle prizes and plenty of recreational opportunities. I like to call it Chicago style BBQ because everything will be cooked with charcoal and wood on Weber grills, which were invented in Chicago in the early 1950's. A welder was putting together a metal water buoy, and decided not to weld the two halves together and made a grill. We will start with our twice grilled chicken wings tossed in the original buffalo sauce from Buffalo NY where they were invented. They pair well with Heineken. Wisconsin style beer brats and Johnsonville brats boiled in dark beer and onions, then seared on the grill and put back into the beer and onions. They are best served with the onions on a roll and Guldens mustard, and a Heineken. We will also have pulled pork. I slow roasted Two 10 pound Boston butts for 24 hours and mix with my own BBQ sauce that is sweetened with local orange blossom honey, brown sugar and raspberry balsamic vinegar. Also from the pork family will be the Italian sausage in a tricolor pepper red sauce. Orange, yellow, and red peppers are simmered in olive oil, fresh garlic, and fresh Italian seasonings for a while and then mixed with a red sauce. This is one of our signature dishes and pairs well with Heineken. Then for the big show, if time and money permit.....BBQ pizza. The BBQ Pizza is made from fresh homemade dough and sauce with all the ingredients. We add fresh mozzarella cheese and mix in some smoked Gouda Cheese. I use the 26 inch Weber and a 22 inch stone, and I build a Ring of Fire.....a Ring Of Fire. Hope to see you there, Dick Allen.

*Last chance to attend a third quarter meeting September 18<sup>th</sup> if you have not attended a meeting you will be fined.*

**Board of Officers**

<b>President</b>	<b>Michael Anderson</b>	619-589-8848	6055 Winfield Ave La Mesa CA 91942
<b>Vice President</b>	<b>Joe Dianna</b>	858-774-1712	14350 Carnitas St Poway CA 92064
<b>Treasurer</b>	<b>Patrick Nieratko</b>	858-279-7386	10312 Carioca CT San Diego CA 92124
<b>Secretary</b>	<b>Matthew Sweeney</b>	858-229-4209	9450 Mira Mesa Bl Suite C-319 San Diego CA 92126
<b>Past President</b>	<b>Mark Curran</b>	619-579-1720	PO BOX 9944, San Diego CA 92169

**Committee Representatives**

<b>Sick Leave</b>	<b>Ron Baker</b>	619-540-2275	<b>New Members</b>	<b>John Silcox</b>	858-467-0507
	<b>Ron Magnant</b>	858-586-1188		<b>John Baldwin</b>	858-354-7946
	<b>Terry Wehrly</b>	619-462-8745		<b>Bernie Mirelez</b>	619-818-5536
<b>Continuing Education</b>	<b>Brian Davis</b>	858-688-3084		<b>George Ludwig</b>	619-892-4749
	<b>Stephen Heyer</b>	619-563-6566	<b>Manuf. Rebate</b>	<b>Jon McArthur</b>	619-672-3760
	<b>Jon McArthur</b>	619-672-3760		<b>Gary Sevigny</b>	858-486-9220
<b>Insurance</b>	<b>Bob Fowler</b>	619-464-6400			
<b>Entertainment</b>	<b>Jeff Marshall</b>	619-390-9456			
	<b>Robert Miller</b>	619-443-0547			
<b>Product Testing</b>	<b>Patrick Farrior</b>	619-465-9545			
	<b>Dale Eppard</b>	858-571-1177			
<b>Sfty/Drowning Prevnt</b>	<b>James Morketter</b>	619-708-4972			
<b>Blood Drive</b>	<b>James Morketter</b>	619-708-4972			
<b>Website</b>	<b>Paul Grimes</b>	619-518-4983			
<b>Region7 Director</b>	<b>Joe Lukacik</b>				

**IPSSA Corporate** 888-360-9505  
**Info. Vickie Lester** 888-368-0432 FAX  
 10842 Noel St #107, Los Alamitos CA 90720-2582

**Billing - Cramer & Associates**  
 PO BOX 1617 888-391-6012  
 Rocklin CA 95677 888-391-6203FAX  
**Arrow Insurance** 800-833-3433  
**Ray Arousty** 805-955-9555  
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# IPSSA San Diego – Chapter Supporters (Updated 6/13/13) \*Local Representative

Eric Dominguez	<b>Abcana Industries</b> - <a href="http://www.Abcanaindustries.com">www.Abcanaindustries.com</a> Wholesale Pool Chemicals - Pickup & Delivery	619-444-9900 619-654-6724 cell 619-444-9804 fax
<i>Justin Stortz</i>	<b>AER Technologies, Inc.</b> Circuit Board Repair	714-446-6018 <a href="http://www.PCBoardRework.com">www.PCBoardRework.com</a> Justin.stortz@aertech.com
Eric Svensson	<b>Alternative Pool Systems, Inc.</b> – <a href="http://www.alternativepoolsystems.com">www.alternativepoolsystems.com</a> Install/Repair/Service Automatic Pool Covers	619 445 9798
Todd Wittman	<b>American Home Butler, INC.</b> – <a href="http://www.poolleakrepairs.com">www.poolleakrepairs.com</a> Pool Leak Detection	858-566-2700
Kenan Sachs	<b>American Leak Detection</b> – <a href="http://www.americanleakdetection.com">www.americanleakdetection.com</a> Electronic Leak Detection & Repair	619-233-5325 888-368-5325 fax
Susan Flowers	<b>Aquasalt, LLC</b> – <a href="mailto:Sflowers@aquasalt.com">Sflowers@aquasalt.com</a> , <a href="http://www.aquasalt.com">www.aquasalt.com</a> Food grade quality pool salt	239-3139094
Lori Brumagen Derek Dalto*	<b>BIO-DEX</b> – <a href="mailto:bio-dex@bio-dex.com">bio-dex@bio-dex.com</a> / <a href="mailto:info@bio-dex.com">info@bio-dex.com</a> Pool and Spa chemicals / Custom formulated for the industry	800-617-3477 623-582-2405 fax 619-565-5130 Derek
Joey Chavez, Rep.	<b>Blue Moon Pools, Inc.</b> - <a href="http://www.bluemoonpool.com">www.bluemoonpool.com</a> Pool Renovation / Pool Remodeling / Pool Plastering	619-258-7665 619-920-4290 Joey 619-258-6383 Fax
Tony Ruf	<b>BriteTile Pool/Spa Remodeling</b> – <a href="http://www.britetile.com">www.britetile.com</a> Calcium removal, install/repair tile, quartz/rock coping, deck-o-seal	619-260-1896 <a href="mailto:rruf@san.rn.com">rruf@san.rn.com</a>
Reed Chastang	<b>Dynamic Concrete Coatings</b> – <a href="http://www.dynamicconcretecoatings.com">www.dynamicconcretecoatings.com</a> An affordable Solution for Decorative Concrete	619-201-8508 866-866-2798
John Barba	<b>Clear Water Pool Covers</b> - <a href="http://www.clearwaterpoolcovers.com">www.clearwaterpoolcovers.com</a> Service and install automatic pool covers	858-863-3202
Tom Cox Mark Feldstein	<b>Gardner Out Door And Pool Remodeling</b> – <a href="http://www.GardnerRemodeling.com">www.GardnerRemodeling.com</a> Quality Plastering/Remodels since 1969	619-593-8880 619-593-8886 fax <a href="mailto:tomc@gardnerpoolplastering.com">tomc@gardnerpoolplastering.com</a>
Scott Ragsdale	<b>Hasa, Inc.</b> - <a href="http://www.Hasapool.com">www.Hasapool.com</a> Manufactures liquid chlorine, distributes dry/specialty chemicals	661-259-5848 951-634-1209 cell
Tom Gharib	<b>JNR Pool Plastering, Inc.</b> Pool and Spa Remodeling, Coping , Tile, Concrete, Plaster	619-466-6571 619-698-4745 Fax 619-654-4175 Cell
Michael Mamula	<b>Leak Detection USA</b> – <a href="http://www.leakdetectionusa.com">www.leakdetectionusa.com</a> . Leak detection/repair for pools/spas/ponds–comcl./resd.	800-652-9062
Gil Koury	<b>Life Deck</b> - <a href="http://www.lifedeck.com">www.lifedeck.com</a> Concrete Resurfacing & Staining, Waterproof Deck Coatings, Cleaning/Maintenance.	619-262-8600 Office 619-262-8606 Fax 619-572-1894 Cell <a href="mailto:gil@lifedeck.com">gil@lifedeck.com</a> email
Liza Leas	<b>L &amp; L Lines, Inc.</b> – <a href="http://www.llines.com">www.llines.com</a> <a href="mailto:heatpumpgirl@aol.com">heatpumpgirl@aol.com</a> REVIVE-Superior Phosphate Remover and More	602-705-9240 Cell 602-354-4245 Fax
Regina Rakowski	<b>Nelsonite</b> <a href="http://nelsonitepoolanddeck.com">nelsonitepoolanddeck.com</a> Easy and Affordable, Quality Pool & Deck Coatings	760-828-6169 cell <a href="mailto:rrakowski@ellispaint.com">rrakowski@ellispaint.com</a>
Don Wall	<b>The Pool Doctor</b> <a href="http://www.sdpooldoctor.com">www.sdpooldoctor.com</a> Construction, Renovation, Remodel, Repair	619-445-4977 cell 619-445-4345 fax <a href="mailto:DonWall@sdpooldoctor.com">DonWall@sdpooldoctor.com</a>
John Moss	<b>Poolsafe Cover Systems</b> <a href="http://www.poolsafe.com">www.poolsafe.com</a> Service All Systems, Replacement, portable fences	760-580-4640
Kirk Chapman	<b>Poolscape Unlimited</b> <a href="http://www.Poolscapeunlimited.com">www.Poolscapeunlimited.com</a> Pool plastering - Complete Pool & Spa Renovations	619-561-0555 cell 619-561-1633 fax <a href="mailto:kirk@poolscapeunlimited.com">kirk@poolscapeunlimited.com</a>
Reid Mirvis	<b>Pool Surfacing 2000</b> - <a href="http://www.poolsurfacing2000.com">www.poolsurfacing2000.com</a> Fiberglass and Fleck stone Specialist	619-590-1420 619-590-1469 fax <a href="mailto:Reid@poolsurfacing2000.com">Reid@poolsurfacing2000.com</a>
Mark Larimer	<b>Save Water</b> - <a href="http://www.savewatersd.com">www.savewatersd.com</a> <a href="mailto:savewatersd@cox.net">savewatersd@cox.net</a> Mobile Pool Filtration	619-328-9099 office 619-328-1177 fax
Brandon Chase	<b>SunChaser, Inc.</b> Solar and Water Heating Specialist	619-390-5287 <a href="mailto:sunchaserinc@cox.net">sunchaserinc@cox.net</a>
Kyle Kuhlmeier	Suntrek Industries, Inc. Solar Pool Thermal, Photovoltaics and Solar Hotwater	800-292-7648 <a href="http://www.suntreksolar.com">www.suntreksolar.com</a> <a href="mailto:kkuhlmeier@suntreksolar.com">kkuhlmeier@suntreksolar.com</a>
Kevin Wallace	<b>Underwater Unlimited</b> Rust spots, Rebar, Cracks, Drain replacement	800-247-8393 760-632-1822
Chris Barnes	<b>Water Tech</b> – Aquaron Structure Sealing, New Construction, Remodel, Leak Detection, System Analysis	Office (760) 720-9490 Cell (760) 802-3322 Fax (760) 729-8201 <a href="mailto:barneswater@yahoo.com">barneswater@yahoo.com</a>

<b>Samantha Larimer Ron Brooks</b>	<b>Weiser Pools, Inc.</b> - Repairs, Installations, Heating and Automated Control Specialists	619-440-2480 619-579-5396 fax weiserpools@cox.net
<b>Chuck Conti</b>	<b>Zodiak Pool Systems, Inc.</b> - <a href="http://www.zodiacpoolcare.com">www.zodiacpoolcare.com</a> Baracuda, Jandy, Nature2 & Polaris brand products	760-908-5125



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## CONTINUING EDUCATION

### Upcoming classes -

**CPO Class - October 24, 25 - SCP Distributors, Riverside, CA**

### Education Reimbursements -

Local Classes (San Diego County) 75% class cost.

SoCal Area 100% class/show cost+\$50 for expenses.

Outside So Cal 100% class/show cost+ \$200 for expenses.

Contractor License - 100% of non-recurring expenses such as application test fees, fingerprinting charge etc., up to \$1000.

**Must provide proof of attendance and payment. Submit claim within 30 days of completion/attendance.**

### Members who have completed approved classes and received 10 points.

MICHAEL ANDERSON  
MICHAEL ANDREWS  
RON BAKER  
JIM BAUER  
TERRY BURTNER  
FERNANDO CHAVEZ  
GEOFF CONRADI  
MARK CURRAN  
AFSHIN DARANDEH  
JOE DIANNA  
KEN DIRKSE  
DEE EAKRIGHT  
MARK FLEMING  
BOB FOWLER  
PHILIP GARDINER  
PAUL GRIMES  
NELSON GROFF  
ERNEST HALE  
RUSS HARGROVE  
RICHARD HAYES  
JOE HIEL  
ROBERT HILL

JIM HOLMES  
DAVID JASZCZAK  
CLINT JENKINS  
MICHAEL LEWIS  
GEORGE LUDWIG  
JON MCARTHUR  
STEPHAN MC  
REYNOLDS  
PERRY MEDIANE  
JOHN MEHKI  
ABEL MORALES  
JAMES MORKETTER  
MICHAEL NELSON  
JOHN NICHOL  
MARK OVERMAN  
MARIO PADILLA  
BILL PECK  
JACK PENNA  
TOM RICHARDSON  
GARY SEVIGNY  
JOHN SILCOX  
MARC STEWART  
ROGER WEAVER  
PAUL WILLIAMS

## Ask the All Stars

Our panel of experts is ready, willing and able to answer questions in their fields of expertise. Use the contact info below or say hello at the next general meeting.



**Bill Peck**  
Commercial Water  
Chemistry &  
Water Purification  
858-673-8556



**Ron Magnant**  
Spas & Hot  
water Chemistry  
619-804-1759



**Adrian Donnelly**  
Variable Speed  
Pumps and  
Controls  
Neverwinterpools@  
hotmail.com



**Jon McArthur**  
Acid Wash, Plaster  
Problems and  
Motors  
619-672-3760



**Mark Overman**  
Automation &  
Electronics  
619-463-6689



**Gary Sevigny**  
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Plumbing  
858-486-9220

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### Dinner Meeting – 08/21/2013

Call to order: 7:00PM

Mike Anderson talked about the BK Taylor award deadline, September 11<sup>th</sup>. The David Courey/Chapter Supporter Award is being voted on at our October General meeting. Mike talked about filling out the required application for each nominee and presents it to him.

**Entertainment Committee** – The September Picnic will be held at Santee Lakes, Saturday the 21<sup>st</sup> and catered by Dick Allen. The first 30 members will be reimbursed the \$5 parking fee and the Christmas Party will be at Town & Country Hall on December 6<sup>th</sup>.

**Raffle** – roll over

Meeting adjourned 7:16PM.

### Board Meeting – 09/04/2013

Call to order: 7:13PM.

**Attendance:** Mike Anderson, Patrick Nieratko, Matt Sweeney, Joe Dianna and Mark Curran.

#### Officer Reports

**Treasurer Report** – Pat Nieratko reported on the financial report having a combined total of \$44,000 in both the general fund and the educational fund.

**Secretary Report** – Matt Sweeney talked about a Chapter Supporter purchasing a full page spot for advertisement in the Skimmer. Two members who missed 2<sup>nd</sup> Quarter paid their fines.

**Vice President** - Joe Dianna spoke of one Chapter Supporter who paid their dues and four other Chapter Supporter's that did not pay their dues and are removed from the Chapter Supporter List. The first guest speaker will be Jennifer Ralph from the County Vector Control and the second guest speaker is Phil DelNegro of Suntek Solar.

**Sick Leave** – Mike talked about the Yellow Cards being returned on time and Ernie Hale returning from Sick Leave.

Board discussed BK Taylor Award deadline is September 11<sup>th</sup> and still no nominees. A mass email with a reminder of the BK Taylor Award and Chapter Supporter Award should be sent out ASAP.

**New Members** – We currently have no new members in the pipeline.

**Entertainment** - Mike talked about the Chapter Picnic at Santee Lakes, September 21<sup>st</sup>. Catered by Dick Allen. Mike discussed this year's potential charity fund raiser being the National Swimming Pool Foundation. James Morketter filled out the required application.

**Past President** – Mark Curran reminded the Board about this year's election, Directory, photo and info updates for Octobers Mandatory Meeting. Time to prepare!

Meeting Adjourned 9:07PM

### B.K Taylor Award

The form for nominees should be submitted no later than September 11<sup>th</sup>.

### David Coury/Chapter Supporter Award

The form for nominees should be submitted no later than October 9<sup>th</sup>.

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602-705-9240

## Calendar

09/18 **General Meeting** 7pm: Next: 10/16, 11/20 Mission Valley Resort

10/02 **Chapter Board Meeting** 7PM: Next: 11/06, 12/04

New Location - II Postino  
3959 30th St. San Diego, CA

**Chapter Picnic** - September 21<sup>st</sup> Santee Lakes

**Christmas Party** – Town and Country, 500 Hotel Circle North, San Diego, CA

*Proposed Changes to Health and Safety Sections of the California State Pool Code*

From:\* CDPH Ofc of Regulations  
\*Sent:\* Friday, September 06, 2013 6:42 PM  
\*Subject:\* Public Notice for Public Pools\*\*\*\*

<http://www.cdph.ca.gov/services/DPOPP/regs/Pages/DPH-03-017APublicPools.aspx>

\*\*\*\*

Attached is the California Department of Public Health's (CDPH) Public Notice for Public Pools (DPH-03-017A). As requested, you will receive regulatory public notices via e-mail. To request a copy of this public notice, the informative digest, initial statement of reasons, and/or regulation text be mailed to you or to request alternate formats of these documents please call Dawn Basciano at (916) 440-7367.\*\*\*\*

This proposed regulatory action amends public pool operation and maintenance regulations that affect public pool sanitation, and health and safety practices in California. CDPH last updated these regulations in 1986. Since then public health researchers have developed a clearer understanding of public pool sanitation and health and safety practices. Additional information regarding this public notice and documents \*\*\*\*

Inquiries concerning the action described in this notice may be directed to Dawn Basciano of the Office of Regulations at (916) 440-7367. In any such inquiries, please identify the action by using the Department regulation control number\*\*\*\*

DPH-03-017A.\*\*\*\*

Thank you.\*\*\*\* Office of Regulations\*\*\*\* California Department of Public Health\*\*\*\*

In honor of B.K. Taylor, the San Diego Chapter of IPSSA has annually bestowed an award to a member of the Chapter that has shown a history of going beyond simply running their own business. In addition to dedicating their time to serve IPSSA on Boards, Committees, or charitable endeavors, they have shown their willingness to devote their time to making IPSSA and the communities they live in a better place to prosper, enjoy, and appreciate. They have historically demonstrated this by their involvement in Church related activities, child safety drowning concerns, and their willingness to help, assist, and mentor fellow members.

It is the time of year to make nominations for the award. A vote will be taken at the September general meeting among the various nominees. If no one is nominated, no award will be presented this year. ***If you intend to nominate a member of the Chapter you must contact Michael Anderson, President of the Chapter by September 11, 2013 - you will need to properly filled out and present the nomination form to Mike ASAP.*** Your nomination will be on the Agenda for the September 18 General meeting.

The Chapter winner competes for the Regional BK Taylor Annual award, then possibly the Terry Cowles Memorial Award (IPSSA as a whole)

But it doesn't become a reality without a well-written nomination from one of our members.

Nomination form: <http://www.ipssasandiego.com/bktaylorform.pdf>



## San Diego Chapter Financial Report – August, 2013

### General Fund

Income Description		Expense Description	
Cash on Hand (Beg. Bal.)	21,192.07	SPEC	300.00
Dues Collected by IPSSA	1,768.00	Door Prizes / Raffle	
Member Fines		Entertainment Expenses	519.75
Chapter Supporter Dues		Board Meeting	285.61
Directory Advertising		Admiral Baker Dinner Meeting Deposit	519.75
Newsletter Advertising Income		Office Expense	
New Member		Phone Expenses	38.00
Fund Raising		Postage & Copies Expenses	
		Awards (Plaques)	
		Legal & Professional	
<b>Total Income in Month</b>	<b>1,768.00</b>	<b>Total Expenses in Month</b>	<b>1,663.11</b>
		<b>Combined Total</b>	<b>21,296.96</b>

### Education Fund

Income Description		Expense Description	
Cash on Hand (Beg. Bal.)	22,435.61	Continuing Education	315.00
Rebate Program (PEP/Pentair/Raypak)			
Total CD Interest	.58		
<b>Total Income in Month</b>	<b>.58</b>	<b>Total Expenses in Month</b>	<b>315.00</b>
		<b>Combined Total</b>	<b>22,121.19</b>

### Sick Leave Fund

Income Description		Expense Description	
Cash on Hand (Beg. Bal.)	3,825.00	Members paid Sick Leave Coverage #1	
Sick Leave Coverage #1		Members paid Sick Leave Coverage #2	1,375.00
Sick Leave Coverage #2		Sick Member Reimbursed #1	
Sick Leave Coverage #3		Sick Member Reimbursed # 2	2,300.00
<b>Total Income in Month</b>		<b>Total Expense in Month</b>	<b>3,675.00</b>
		<b>Combined Total</b>	<b>150.00</b>

# CONTINUING EDUCATION FUND APPLICATION

Member Name: \_\_\_\_\_ Date \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Course/Seminar/Program: \_\_\_\_\_

Course/Seminar/Program Date: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Note: The Education Committee Chairperson (ECC) must receive Application within 30 days of the course Completion. Receipt or proof of attendance must be submitted to ECC before reimbursement will be made.

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## Chapter Supporter Evaluation

Member Name: \_\_\_\_\_ Date \_\_\_\_\_

Chapter Supporter: \_\_\_\_\_

Job Start Date \_\_\_\_\_ Date of Job Completion \_\_\_\_\_

	YES	NO
Does The Chapter Supporter or Staff Answer Your Calls Promptly?	_____	_____
Does The Chapter Supporter Contact Your Customer Promptly?	_____	_____
Does The Chapter Supporter Behave In A Professional Manner?	_____	_____
Does The Chapter Supporter Present Themselves Professionally?	_____	_____
Does The Chapter Supporter Clean Up After Themselves?	_____	_____
Does The Chapter Supporter Follow Up On Work Gone Wrong?	_____	_____
Does The Chapter Supporter Perform Quality Work?	_____	_____
Is Your Customer Happy With The Service Performed?	_____	_____
Would You Refer This Chapter Supporter again?	_____	_____
Does the Chapter Supporter Give Referral Checks	_____	_____

Positive Feedback: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Negative Feedback: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# SPEC

August 29, 2013

## **SPEC Supported Legislation Signed by Governor Brown!**

Two bills that SPEC supported were signed by Governor Jerry Brown this week. Senate Bill 261 and Senate Bill 262 are both authored by Senator William Monning (D-Carmel).

SB 261 will authorize the Contractors' State License Board (CSLB) to take administrative action against any licensed or unlicensed person for the improper use of a contractor's license. This bill expands CSLB's administrative authority to encompass additional instances when a licensed or unlicensed contractor has improperly or fraudulently used a contractor's license and will permit the CSLB to punish the violation with warning letters, citations, fines, or even suspension or revocation of a contractor's license, without having to rely on local law enforcement.

SPEC and the CSLB supported this bill throughout the process in the Legislature. SPEC knows that giving the CSLB this authority to issue citations and keep a record of these bad-actors is a necessary step in combating the underground economy and help law-abiding small businesses succeed.

Currently, the laws and regulations administered by CSLB require that all contractors must have a person who acts as a "qualifier" for licensure. The qualifier is the person who furnishes the knowledge and experience that is required for licensure and is responsible for assuring that construction work performed by the licensee complies with all relevant laws and building codes.

Unfortunately, the CSLB has determined that a number of qualifiers do not perform direct supervision or control duties as required under the law. This has resulted in construction jobs not being done properly, causing harm to the consumer.

SB 262 will require a qualifier to be responsible for exercising direct supervision and control in order to secure compliance with the Contractors State License Law. This bill provides that failure to exercise direct supervision and control shall constitute a cause for disciplinary action and shall be punishable as a misdemeanor by imprisonment in a county jail not to exceed six months, by a fine of not less than \$3,000, but not more than \$5,000, or by both a fine and imprisonment. Current law only permits administrative action against the licensee. This bill provides the CSLB with the needed authority to take action directly against a qualifier who has failed to exercise their duties.

SPEC also support this bill throughout the Legislative process. Consumers need to

know that they can trust the contractor they hire to do the job properly. The consumer will be confident if they know a qualifier is ultimately responsible for job supervision, managing construction activities, making technical and administrative decisions, checking jobs for proper workmanship, and are directly supervising the work site.

## **AB 1236 Signed By Governor**

AB 1236 authored by Assembly Member Curt Hagman (R—Chino Hills) was signed by Governor Jerry Brown. This bill will authorize a contractor licensed as a limited liability company (LLC) to obtain statutorily required liability insurance from a surplus line insurer.

In 2010, the Legislature passed SB 392 (Flores, Chapter, 698, Statutes of 2010). This bill authorized the Contractor State License Board (CSLB) to issue a contractor license to an LLC, and the bill also incorporated the LLC business structure into the contractor license provisions. A key element of this legislation was a requirement for such an LLC to maintain certain levels of liability insurance. The bill also contained required the liability insurance to be written by an insurance company admitted to underwrite insurance in California. This additional requirement that insurance be written by licensed insurers unduly limited the benefits of SB 392.

Contractor law requires contractors to maintain several types of coverage to ensure financial security to protect consumers. These include surety bonds and workers' compensation insurance as a condition of licensure. The financial security policies provide protection for property owners, employees, or individuals who have been financially damaged by a contractor's actions and seek recompense. Many general and specialty contractors voluntarily purchase additional general liability coverage to indemnify them against potential liability that may arise from a construction project they work on, even though they are not statutorily required to do so.

Current law requires architects, accountants and insurance agents & brokers whose business is organized as limited liability entities to purchase liability insurance or maintain cash deposits to cover claims for malfeasance at specified levels. None of the statutes governing these professionals require liability insurance to be purchased from a California admitted insurer, though.

More importantly, the effect of restricting the choice of an insurer limited the availability of insurance coverage for contractors and increased premiums for contractor LLCs. In a number of cases, contractors are unable to purchase liability insurance because such coverage is unavailable from any California admitted insurer.

There are close to 68,000 insurance policies covering licensed contractors in California that are placed with non-admitted insurance companies. There are eight lines of insurance covering contractors that are on the Insurance Commissioner's Official Export List. The Export List contains lines of insurance that the Commissioner has determined, after public hearings, is not available from California admitted insurers and therefore can be placed freely with non-admitted insurers.

In addition to lines of insurance on the Commissioner's Export List, other lines of insurance covering contractors suffer from limited capacity from California admitted insurance companies. As such, the additional capacity offered by non-admitted insurers is essential to provide an adequate insurance market for licensed contractors. The current requirement on contractor LLCs to purchase liability insurance from an admitted insurer only further restricted the market, driving up price and limiting availability for this coverage.

AB 1236, as signed into law will fix these problems by authorizing a contractor licensed as an LLC to obtain the required liability insurance from a surplus line insurer. The new law specifies that insurance offered by surplus line insurers must comply with specified insurance procurement requirements of the Insurance Code and makes conforming changes relating to the documents that constitute the proof of liability insurance from a

line insurer. This legislation will go into effect as law January 1, 2014.

### **About SPEC**

SPEC, the California Spa & Pool Industry Education Council, serves as the statewide public policy representative for the pool, spa, and hot tub industry. We advocate on behalf of industry interests before the California Legislature and state and local regulatory agencies, and for individual members dealing with enforcement issues. Working daily on the industry's behalf, we have an unmatched track record in successfully negotiating and fighting against unreasonable and costly legislation and for enforcement of unlicensed contractor laws. SPEC promotes the highest standards of professional conduct in pool construction, service, and repair, and seeks to educate the public on the proper maintenance and safe use of swimming pools, spas, and hot tubs. For nearly 40 years, SPEC has been the only organization registered to lobby at the State Capitol on behalf of the pool, spa, and hot tub industry. SPEC is funded by membership donations. For more information on SPEC and legislation we are watching, visit [www.calspec.org](http://www.calspec.org), or call 916-447-4113.

**BLUE CARD - SAN DIEGO IPSSA (Fill form completely) Date: \_\_\_\_\_**

Name: \_\_\_\_\_ Spouse: \_\_\_\_\_ H.Phone:( ) \_\_\_\_\_

H. Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Company Name: \_\_\_\_\_ E-Mail: \_\_\_\_\_

B. Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

B.Phone:( ) \_\_\_\_\_ Pager:( ) \_\_\_\_\_ Cellular:( ) \_\_\_\_\_

**CIRCLE ZIP CODES THAT YOU SERVICE (Mail cards to Chapter PO Box or give to Paul Grimes)**

<u>NORTH CITY</u>	<u>METRO NORTH</u>	<u>METRO SOUTH</u>	<u>SOUTH BAY</u>	<u>EASTCOUNTRY</u>
92007 - Cardiff	92037 - La Jolla	92101 - Downtown	91902 - Bonita	91901 - Alpine
92014 - Del Mar	92108 - Mission Valley	92102 - Golden Hill	91910 - Chula Vista	91935 - Jamul
92024 - Encinitas	92109 - Pacific Beach	92103 - Hilerst/MsnHl	91911 - Chula Vista	91941 - La Mesa
92064 - Poway	92111 - Clairemont	92104 - North Park	91913 - Chula Vista	91942 - La Mesa
92067 - Rancho S Fe	92117 - Clairemont	92105 - City Heights	91914 - Eastlake	91945 - Lemon Grove
92075 - Solana Beach	92119 - San Carlos	92106 - Pt. Loma	91915 - Eastlake	91977 - Spring Valley
92091 - Morgan Run	92120 - Grantville	92107 - Ocean Bch/PL	91932 - Imperial Bch	91978 - Rancho SD
92121 - Sorrento Valey	92122 - Univ. City	92110 - Midway/O.T.	91950 - National City	92019 - El Cajon
92126 - Mira Mesa	92123 - Mission Village	92113 - Logan Heights	92118 - Coronado	92020 - El Cajon
92127 - Rancho Berndo	92124 - Tierrasanta	92114 - Encanto	92154 - Otay Mesa	92021 - El Cajon
92128 - Rancho Berndo		92115 - Rolando	92173 - San Ysidro	92040 - Lakeside
92129 - Penasquitos		92116 - Normal Hgths		92071 - Santee
92130 - Carmel Valley		92139 - Paradise Hills		
92131 - Scripps Ranch	Poolservicepros.com listings are by your Zip codes.		DO NOT list me for referrals on www.poolservicepros.com	

I, the undersigned, waive any and all claims against IPSSA, Inc, IPSSA Management Company, IPSSA Chapters and/or its individual members, arising out of my participation in the IPSSA Sick Leave Program, including, but not limited to claims for lost income resulting from improper maintenance performed by IPSSA members. I have read and understand the standing rules for the Sick Leave Program and agree to participate in that program.

**SIGNATURE REQUIRED \_\_\_\_\_ DATE \_\_\_\_\_**

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**San Diego Chapter  
Independent Pool & Spa  
Service Association  
PO BOX 600862  
San Diego CA 92160-0862  
[www.ipssasandiego.com/members](http://www.ipssasandiego.com/members)**



**Next General Meeting (Mandatory)  
October 16<sup>th</sup>, 2013 – 7 p.m.  
Mission Valley Resort  
875 Hotel Circle South  
Mission Valley, south of I-8  
1/4 mile west of SR 163**

