IRRIGATOR ADVISORY COUNCIL

February 18, 2010
Draft Minutes
12100 Park 35 Circle, Building C, Room 131
Austin, Texas
9:30 a.m. to 3:00 p.m.

1. Call to order

Chairman Hubbard called the meeting to order at 9:30 a.m.

Attendees:

Council Members: DeVille Hubbard, David Bell, Emilio Escobar, Doug Goodwin, Karen Guz, Nora Mullarkey, and Rusty Tucker

TCEQ Staff:
Sal Tahiri, Tracy Miller, Richard Allen, Graham Waak, Candy Garrett, Jeff Walls, Allan Vargas, Terry Thompson, and Linda Saladino

Visitors:
Marsha Carson, Frank Chaloupka, Doug Christiensen, Brooke Furrh, Byron Hardin, Jerry Lewis, Todd Magatagan, John Pollard, James Stewart and Charles Swanson

2. Consider approval of minutes from the November 18, 2009 meeting (5 minutes)

Ms. Guz moved that the minutes be accepted. Mr. Escobar seconded the motion. The motion was approved.

3. Special Recognitions (5 minutes)

Mr. Goodwin was recognized for his outstanding contributions as Irrigator Advisory Council (Council) Chairman in 2009.

4. Receive, Discuss and Act on Staff Reports:

(a) Licensing, Training, Testing and Renewals

Mr. Thompson stated that a public hearing would be held on March 8, 2010 on changes to Chapter 30 (Occupational Licenses and Registrations) to address the criminal history requirements contained in House Bill 963 and 2808. The public comment period is scheduled to end on March 15 and the

rules considered at the June 16, 2010 agenda. Mr. Thompson stated that the intent of the bills is to allow individuals with a criminal history the ability to obtain a determination of eligibility to be licensed prior to submitting an official application. Mr. Thompson described the process (contained in Chapter 30.33) that an applicant could take to appeal a licensing determination.

Mr. Thompson provided an update of licensing activities for fiscal year 2010:

- Irrigation Technician Applications Received – 1473
- Irrigator Applications Received – 350
- Irrigation Inspector Applications Received – 2
- New Irrigation Technician Licenses Issued – 813
- New Irrigator Licenses Issued – 237
- New Irrigation Inspector License Issues – 2

Mr. Thompson also stated that there have been 927 “English” Irrigation Technician examinations and 1140 “English/Spanish” Irrigation Technician examinations. The pass rate for the examination as a whole is 44%. There are 164 applications in queue to be reviewed.

Ms. Saladino discussed a meeting on February 1, 2010, with Irrigation Technician training providers. The purpose of the meeting was to discuss methods and practices to improve student learning in the class. The Council complimented Ms. Saladino on the information provided to assist training providers focus classes on the skills needed to perform tasks associated with the Irrigation Technician license. Ms. Guz noted that there are numerous benefits of a career path for licensed Irrigation Technicians and that San Antonio area schools were considering offering courses. Mr. Escobar noted that the number of licensed individuals might be low due to the economy, since many irrigation companies are seeing less work. Mr. Magatagan stated that having the Spanish translation of terms seems to be helpful in preparing for the examination.

Ms. Saladino noted that instructors must have 60 hours experience teaching classes. Ms. Saladino provided guidelines for using translators in classes. Ms. Saladino noted that there were two applications in house for additional Irrigation Technician training providers. Ms. Saladino stated that licensed irrigators may use the Irrigation Technician course to meet their Continuing Education requirements. Ms. Saladino discussed the criteria for audits of courses such as are the classes “required”, complaints about the course, pass rates, etc.

Mr. Vargas spoke about goals for the Operator Licensing Section:

- Notify applicants of the results of the Irrigation Technician examinations within 21 days (until March 31, 2010). The lag-time might increase after that.
- Ms. Saladino has a new role - working with Computer-Based Testing (CBT) and Job Task Analysis for Surface Water Treatment Operations.

- Mr. Vargas will provide a brief listing of quarterly pass rates by e-mail to Irrigation Technician training providers
- There are a large number of meeting/conference requests and training manuals in-house; it will probably take the full 45 days to review these documents.
- There should be 38 CBT sites and Regional Offices available by March 31, 2010 for examinations.
- Since there is a 90 day waiting period to take the Agency administered examinations in the Dallas/Fort Worth area, Austin staff will continue to administer monthly examinations in the area through July. Dates and times will be provided when available.
- Some applicants have used a "0" prior to the Driver's License number in lieu of a Social Security Number or Tax Identification Number. Applicants will be asked to verify the number prior to any license being issued.

Chairman Hubbard tabled further discussion until after break and stated that Mr. Hardin's presentation would begin after the break.

- Break –

Chairman Hubbard called the meeting to order at 11:05 a.m.

5. Backflow Prevention Devices – Byron Hardin

Mr. Hardin discussed the appropriate use of backflow prevention devices in landscape irrigation applications, noting that many permitting authorities have adopted requirements more stringent than the state's requirements. It is important to assess the degree of hazard associated with the irrigation system and to select the appropriate backflow prevention device. The Council thanked Mr. Hardin for the information provided.

Ms. Garrett noted that irrigators and irrigation technicians cannot repair backflow prevention devices. Backflow Prevention Assembly Testers are licensed to test and repair backflow prevention devices.

Chairman Hubbard asked that the staff reports continue.

(b) Outreach – Candy Garrett

Ms. Garrett provided a list of upcoming events that staff had been asked to attend. Ms. Mullarkey complimented Mr. Walls on his presentation at the City of Austin's Water Wise Irrigation Professional event.

(c) Enforcement Activities – Candy Garrett

Ms. Garrett provided a breakdown of Enforcement Activities for FY 2010. There have been 37 Notices of Violations issued (6 to unlicensed individuals

and 31 to licensed individuals) and 49 Notices of Enforcement issued (36 to unlicensed individuals and 13 to licensed individuals). There have been 21 Administrative Orders issued and $12,354 in penalties collected.

(d) IAC Nominations for Vacancies in February 2011 – Candy Garrett

Ms. Garrett provided a list of names of individuals that had been nominated for the Irrigator Advisory Council.

6. Hear from individuals wishing to address the Council

No individuals wished to address the Council**.**

Chairman Hubbard adjourned the meeting for lunch at 11:50 a.m.

- Lunch -

Chairman Hubbard called the meeting to order at 1:00 p.m.

7. Receive, Discuss and Act on IAC Committee Reports:

(a) Rules – Nora Mullarkey

Ms. Mullarkey noted that Ms. Garrett had compiled a list of potential rule changes. Ms. Garrett stated that there had been no determination that there would be rule changes; however, if there were changes, the earliest that they would be considered would be June 2011. The rule process takes approximately one year, so the earliest that any rule could be changed would be June 2012. There was a discussion of requiring a master valve on irrigation systems.

(b) Education

Ms. Guz stated that training in water conservation is needed to ensure that irrigation system owners and irrigators have information available to assist in the design and installation of plant materials and irrigation that will use water efficiently. Ms. Guz stated that there could be some work with the Education Committee and Water Conservation Committee to develop curriculum guidance for classes on water conservation.

Chairman Hubbard requested that the Education Committee look at opportunities to help irrigators design irrigation systems that will meet plant and turf needs if watering opportunities are limited to one or two days a week.

(c) Water Conservation – Karen Guz

Ms. Guz discussed activities that the Irrigation Association had taken to test the effectiveness of rain sensors, pressure regulating heads and multi-stream

nozzles. Protocols are being drafted for the testing of pressure regulating heads and multi-stream nozzles. There will be an opportunity to comment on the proposed protocol. Testing on rain sensors should begin in May 2010. Testing on pressure regulating heads and multi-stream nozzles will begin in about a year.

(d) Legislative – David Bell

Mr. Bell discussed the Sunset Commission review of the Agency and the need for the Council to discuss their role, if any, in the review. Mr. Bell stated that the Council should discussion any potential policy statements at a public meeting or possibly a work session might be an appropriate venue for discussions. Mr. Magatagan stated that if the appropriate interested parties were going to attend a work session, it should be held either before or after the irrigation season. Chairman Hubbard discussed holding a work session to discuss a five-year plan for the Council. Mr. Hubbard discussed the need for additional outreach by the IAC with City Managers and staff.

8. Receive Discuss and Act on New Business and additional items of interest.

Ms. Garrett stated that Ms. Denielle Garza had contacted most of the 118 potential cities that might require irrigation programs and had assembled information on their water rate structure. Survey results were provided to Council members.

Ms. Garrett also provided a status of Ordinances that approximately 80 of the 118 potential cities that might require irrigation programs had adopted ordinances. Ms. Garrett indicated that staff would continue verification of the status of the ordinances.

Chairman Hubbard asked about the status of the surveys that Council members sent to City Managers. Ms. Garrett provided copies of a table summarizing the results. Approximately 40 municipalities have responded.

Mr. Tucker asked if any progress had been made on determining if the Agency would take any enforcement action against municipalities that had failed to respond to House Bill 1656. Ms. Miller stated that Agency management was reviewing options and that an answer would be available by the next Council meeting.

9. Adjourn

Chairman Hubbard adjourned the meeting at 2:15 p.m.