

**STATE OF CALIFORNIA
BUILDING STANDARDS COMMISSION
MEETING MINUTES**

July 17, 2008

1. CALL TO ORDER

Chair Marin called the meeting to order at approximately 10:40 p.m. at the Department of Consumer Affairs, 1625 North Market Blvd., First Floor Hearing Room, Sacramento, California.

SPECIAL ACKNOWLEDGMENTS

Chair Marin introduced the newly appointed Commissioners, Craig Daley, Tony Hoffman, and Michael Paravagna, by providing a brief background of each gentleman prior to swearing them in.

ROLL CALL

Commissioners Present:

Rosario Marin, Chairperson
Isam Hasenin, Vice Chairperson
Steven Jensen
Christina Jamison
Steve Winkel
Susan Dowty
Richard Sawhill
Michael Paravagna
Tony Hoffman
Craig Daley

Commissioners Absent:

James Barthman

Also Present:

David Walls, Executive Director
Tom Morrison, Deputy Director
Stephanie Davis, Executive Assistant
Teresa Boron-Irwin, Legal Counsel
Michael Nearman, Architectural Associate

2. APPROVAL OF THE MINUTES OF THE MAY 2008 MEETING

Chair Marin requested a motion to approve the Minutes of the May 21, 2008 meeting. Moved by Commissioner Jensen and seconded by Commissioner Winkel that the Minutes be adopted. **Motion Carried.**

**CALIFORNIA BUILDING STANDARDS COMMISSION
JULY 17, 2008 MEETING MINUTES**

3. STRATEGIC PLAN AD HOC COMMITTEE REPORT

Commissioner Sawhill provided an update on the morning's meeting, indicating that the first revision of the strategic plan was reviewed. Responsibilities were delegated among committee members and staff for rewrites and changes. The next meeting is September 11, 2008 at 9:00 a.m. prior to the next Commission meeting.

4. THE GREAT SOUTHERN CALIFORNIA SHAKE OUT

Dick McCarthy, Executive Director of the Seismic Safety Commission, provided information on the Great Southern California Shake Out that will occur the week of November 12-16, 2008 which will feature the largest earthquake drill in U.S. history. The 1868 Hayward Earthquake Alliance will also have an earthquake drill in the Bay Area in October and the Cascadia Subduction Zone and Working Group will hold an earthquake drill in April in Washington and Oregon. Lessons learned from these events will be included in a yearly earthquake drill event.

Chair Marin reiterated the importance of these events in order to promote public awareness of earthquake preparedness.

5. ANNUAL CODE ADOPTION CYCLES

Mr. Walls provided an update on the 2007 annual cycle indicating that the proposals to be presented today are part of the 2007 annual cycle and the remaining proposals will be brought to the Commission at the September 11, 2008 meeting.

6. CODE CHANGE PROPOSAL FOR REGULAR RULEMAKING:

Corrections Standards Authority (CSA 01/06) Approval of CSA regulations for juvenile detention facilities in Title 24 Parts 1 and 2 which have been adopted by CSA. Revise definitions to add clarity to the regulations; replace "Board of Corrections" with "Corrections Standards Authority" based upon legislative action; amend standards for interior environments for units within juvenile halls and camps and ranches for staff and juvenile residents; and create a new regulation that requires program and activity areas within camps and ranches.

Moved for approval by Commissioner Jensen, seconded by Commissioner Winkel.
Motion carried.

7. EMERGENCY CODE CHANGE PROPOSAL

Division of State Architect (DSA EF 01/08) Approval of certification of compliance and permanent adoption of building standards pertaining to the 2007 California Building Code, Part 2. The standards were submitted as emergency building standards amending the 2007 California Building Code (CBC) provisions related to accessible parking spaces for persons with disabilities. They were deemed necessary for the immediate and general

**CALIFORNIA BUILDING STANDARDS COMMISSION
JULY 17, 2008 MEETING MINUTES**

welfare of the state in order to ensure implementation of recently enacted Assembly Bill (AB) 1531 (Chapter (Ch) 413) which revised Government Code Section (GC§) 14679 and Vehicle Code Section (VC§) 22511. The emergency and regulations were approved as amended by the commission at the May 21, 2008 meeting.

Aaron Noble, Division of State Architect, presented this item. DSA is seeking permanent adoption of the emergency regulations implementing AB1531 for accessible parking effective July 1, 2008. DSA had two comment periods and received no comments during either comment period.

Moved for approval by Commissioner Paravagna, seconded by Commissioner Jamison.
Motion carried.

8. 2007 ANNUAL CODE ADOPTION CYCLE PROPOSALS

- a) **Office of Statewide Health Planning and Development (OSHPD 01/07)** Approval of amendments to the 2007 California Administrative Code, Part 1. The proposed changes coordinate terminology in Part 1, Title 24 with terminology in the 2007 California Building Code; reflect current practices regarding fees for preliminary reviews and projects involving imaging equipment; implement statutory requirements for phased submittals and projects exempt from the plan review process; reduce plan review and construction time by clarifying and modifying time limitation requirements and change order requirements; and simplify the hospital inspector examination process by repealing outdated regulations.

Duane Borba, OSHPD, presented this item. These amendments were approved by the Hospital Building Safety Board. One comment was made during the 45-day comment period, which was agreed to and implemented.

Moved for approval by Commissioner Jamison, seconded by Commissioner Hasenin.
Motion carried.

- b) **California Building Standards Commission (BSC 03/07, from CBSC P-1/08)** Approval of a proposal to amend the 2007 CBC, Part 2, with simplification of the wind load calculation procedure in Chapter 16, Section 1609.6 applicable to state owned buildings and to all occupancies identified pursuant to Health and Safety Code 18938. This proposal was submitted in a petition to CBSC, HCD, DSA-SS, and OSHPD and approved by the Structural Design-Lateral Forces Code Advisory Committee this winter. It was simultaneously brought to the International Code Council and will be published in the 2009 IBC slated for adoption in the next cycle. If approved by the commission, the simplified procedure will be available for use by structural engineers and designers before the effective date of the 2010 codes.

Mr. Walls presented this item explaining that this was a petition by Structural Engineers of California to add this to the code and was recommended by the Code Advisory Committee. The effective date would be July 1, 2009.

**CALIFORNIA BUILDING STANDARDS COMMISSION
JULY 17, 2008 MEETING MINUTES**

Moved for approval by Commissioner Winkel, seconded by Commissioner Hasenin.
Motion carried.

9. 2007 ANNUAL CODE ADOPTION CYCLE PROPOSALS FOR GREEN BUILDING STANDARDS

Chair Marin explained that the Commission is presented with the option to adopt the nation's first green building code containing voluntary standards in 2008 with mandatory provisions to follow in 2010. This is the result of holding focus groups, public comment periods, and stakeholder meetings over the past year. Chair Marin commended the Governor and all involved who made it possible for California to be the leader in innovative and environmentally friendly buildings, in addition to Mr. Walls and the staff of the Building Standards Commission.

- a) **Division of the State Architect—Structural Safety (DSA-SS 01/07):** Approval of DSA's administrative provisions which identify DSA's promulgating and enforcement role of green building standards for public schools and community colleges. Additionally, these administrative provisions may identify resources and additional information regarding DSA's process for development of green building standards to be adopted into Part 11 at a future date. This proposed action does not prescribe nor mandate green building requirements for public schools and community colleges at this time.

Chip Smith, DSA, presented this item. Mr. Smith indicated that DSA will be working with Collaborative for High Performance Schools (CHPS) to integrate appropriate standards in the next code cycle.

- b) **Office of Statewide Health Planning and Development (OSHPD 07/07):** Approval of OSHPD's voluntary green building measures to be housed in Title 24, Part 11 for hospitals, skilled nursing and intermediate-care facilities, and licensed clinics.

Duane Borba, OSHPD, presented this item. OSHPD intends to continue to work with its advisory board, the Hospital Building Safety Board, to develop appropriate mandatory standards for the next cycle.

- c) **California Building Standards Commission (BSC 02/07):** Approval of CBSC's proposed green building standards for buildings under authority of CBSC. They are currently proposed to be voluntary, with mandatory provisions to be considered for the 2010 codes.
- d) **Department of Housing and Community Development (HCD 03/07):** Approval of HCD's proposed green building standards applicable to residential occupancies.

**CALIFORNIA BUILDING STANDARDS COMMISSION
JULY 17, 2008 MEETING MINUTES**

Doug Hensel, HCD, presented this item. HCD has reviewed existing green building best practices, guidelines, and other published materials relevant to green building. HCD intends to incorporate another green building rulemaking prior to the effect date which will further enhance this code.

Mr. Walls explained that some groups felt certain concerns were not adequately addressed, however, an agreement as been reached with some intent language and the withdrawal of one section.

In 101.7, the following language will be added: “It is the intent of the California Building Standards Commission by adopting this code to set minimum green building standards that may, in the discretion of any local government entity be applied. It is the further intent of the California Building Standards Commission that all entities subject to this code view these standards as minimal green building standards and that local government entities retain the discretion to exceed the standards establish by this code. It is the further intent of the California Building Standards Commission to encourage state and local government entities, private entities, and interested members of the public to provide the Commission with input regarding the efficacy of this code in order to assist the Commission in preparing mandatory green building standards during the next code cycle.”

In 101.3, the following language will be added: “It is not the intent of the California Building Standards Commission that this code substitute or be identified as meeting the certification requirements of any green building program that is not established and adoption by the California Building Standards Commission.”

Proposed intent language for sections 503.1, which would apply to the Commission, and A-501.1, in the appendix, which would apply to HCD, is as follows: “For the purposes of energy efficiency standards in this code, the California Energy Commission will continue to adopt mandatory building standards. It is the intent of this code to encourage green buildings to achieve exemplary performance in the area of energy efficiency. Specifically that green buildings should achieve more than a 15 percent reduction in energy use when compared to the state’s mandatory energy efficiency standards.”

Section 705.2.1 will be withdrawn and replaced with the following: “Certified wood is an important component of green building strategies and the Commission will continue to develop a standard through the next cycle.”

The existing language of Appendix A, A-101.1 Scope, is as follows: “The measures contained in this appendix are not mandatory and provide additional consideration that designers, builders, and property owners may wish to consider during the planning, design, and construction process.” The proposed language to be added is as follows: “The standards in this appendix will continue to be developed through the next code adoption cycle for placement in the body of the code.”

**CALIFORNIA BUILDING STANDARDS COMMISSION
JULY 17, 2008 MEETING MINUTES**

It is recommended that Chapter 11, currently named “Application Checklist,” be renamed to “Matrix” to be consistent with the other codes. It is also recommended that the third party verification column be deleted, as well as changing the optional heading of the second column from “Optional” to “Voluntary.”

Mr. Walls recommended that the Commissioners approve these items as amended.

Comments:

Peter Bruck, City of Rohnert Park, commended the Building Standards Commission and staff and HCD for the hard work put into this first step.

Mark Blake, Sierra Pacific Industries, indicated his support of the green building standards. He did recommend the deletion of the certification program and section 705.2.2 and to make it for forestry certification.

Nick Ziglebaum, National Resource Defense Council, requested that BSC approve the green building code as recently amended. He stated this is a crucial first step in creating the nation’s first statewide green building code.

John Wasler, U.S. Green Building Council, congratulated the state on this first step, as well as the Governor for his leadership.

Steve Keifer, CALBO, indicated his organization’s support of the green building code and appreciates the work put into it.

Eric Emblem, California Joint Committee on Energy and Environmental Policy, Sheet Metal Workers Union, California Sheet Metal and Air Conditioning Contractors National Association, commended Mr. Walls and the Commission and indicated his support of this code process. He also commended the leadership of Bob Raymer of the Code Advisory Committee for a great job.

Mark Christian, AIA California Council, indicated support of the green building code.

John Hooper, California Chamber of Commerce, indicated support of the green building code process.

Bob Raymer, CALBO, indicated endorsement of California Chamber of Commerce, California Association of Realtors, California Manufacturers and Technology Association, American Institute of Architects, California Forestry Association, Broadcasters Association, Console, Inc. Consulting Engineers and Land Surveyors of California, Apartment Association, California Business Properties Association, Associated General Contractors of California, International Council of Shopping Centers, National Association of Industrial and Office Properties, California Retailers Association, the Institute of Real Estate Management, and Building Owners and

**CALIFORNIA BUILDING STANDARDS COMMISSION
JULY 17, 2008 MEETING MINUTES**

Managers Association for the support of adoption of the regulations of green building standards.

Tom Enslow of Adams, Brown, Joseph, and Cardozo, speaking on behalf of IAPMO, extended congratulations to the Commission and staff. Mr. Enslow indicated that IAPMO is coming out with a green plumbing and mechanical supplement designed to provide voluntary standards.

Jerry Desmond, Plumbing Manufacturers Institute, indicated appreciation for the efforts of the Commission in moving the state forward with this landmark achievement. Mr. Desmond indicated his organization's commitment to move toward high efficiency toilets and urinals.

Matthew Hargrove, California Business Properties Association, indicated strong support of the green building code and commended Bob Raymer for his hard work.

Justin Malone, StopWaste.org, Alameda County Waste Management Authority, indicated his appreciation for BSC, staff, Mr. Walls, and the Governor's office for addressing many of the issues with the proposed amendments.

Brian White, California Forestry Association, indicated support of the green building standards.

Gary Runiors, Green Diamond Resource Company, indicated support of the green building standards. He also indicated his support of the removal or modification of 705.2.2 to read as renewable materials, use of materials made from plants.

Mr. Walls responded that any change in the proposed language would be a substantive change and would require another comment period. He indicated an option would be to adopt the language as provided and address the issue of 705.2.2 during the code revision process from voluntary to mandatory.

Commissioner Winkel proposed that the amendments presented on the handout today be incorporated by amendment into the text.

On behalf of Commissioner Barthman, Commissioner Sawhill made a motion to approve the green building standards. Seconded by Commissioner Jensen.

Motion Carried.

10. FUTURE AGENDA ITEMS

Commissioner Jensen suggested that the code advisory committee come up with a draft ordinance to be used for adoption locally.

Commissioner Jamison suggested putting a legislative report on the agenda as an update of all the bills related to the Commission and green building.

**CALIFORNIA BUILDING STANDARDS COMMISSION
JULY 17, 2008 MEETING MINUTES**

11. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA

Steve Kiefer, CALBO, responded to Commissioner Jensen's suggestion that the code advisory committee develop a boilerplate ordinance by offering that the CALBO green building committee prepare it.

Kevin Reinertson updated the Commission on the disabled access ad hoc task force, indicating that they have had four meetings so far this year, focusing on Title 19, Section 3.09, evacuation and signage requirements.

12. ADJOURN

Madam Chair Marin adjourned the meeting at approximately 12:25 p.m.

--oO--