

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

May 21, 2008

1. CALL TO ORDER

Chair Marin called the meeting to order at approximately 1:33 p.m. at the Department of Consumer Affairs, 1625 North Market Blvd., First Floor Hearing Room, Sacramento, California.

SPECIAL ACKNOWLEDGMENTS

Chair Marin welcomed Teresa Boron-Irwin as the new Legal Counsel to the Commission.

ROLL CALL

Commissioners Present:

Rosario Marin, Chairperson
Isam Hasenin, Vice Chairperson
Steven Jensen
Christina Jamison
James Barthman
Steve Winkel

Commissioners Absent:

Susan Dowty
Richard Sawhill

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 MARCH 2008 MEETING

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

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3. PROCESS FOR STRATEGIC PLAN UPDATE

Chair Marin indicated that Commissioner Sawhill has expressed his opinion that the Commission should be able to perform the update of the strategic plan without the expense of outside consultants. The ad hoc committee will be chaired by Commissioner Sawhill, and Commissioners Winkel and Dowty will also serve on the committee. All Commissioners are encouraged to provide their input.

4. UPDATE ON THE REVIEW OF THE INTERNATIONAL RESIDENTIAL CODE BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Doug Hensel reported that a meeting was held in early March to solicit comments from stakeholders regarding the adoption of the 2009 IRC. Three study groups were formed: Plumbing and Mechanical, chaired by Phil Ribbs; Electrical, chaired by Ray Bizal; and a General Structural group, chaired by Becky Frazer. These groups provided comments on the IRC, which have been posted on HCD's website. These comments are currently being internally reviewed to develop discussion points and recommendations for HCD leadership. This process is expected to be completed by September.

5. ANNUAL CODE ADOPTION CYCLES

a) Update on the 2007 annual cycle

Mr. Walls reported that the 45-day comment period for the 2007 cycle was completed May 12. Several comments were proposed for green building standards and PEX. Some changes may be made that will constitute a 15-day comment period, but adoption at the July meeting should be on track. The draft EIR for PEX began May 9th and the 45-day comment period will end June 23. A couple of measures may need to be addressed which will be brought back to the Commission at the September meeting if necessary.

b) Update on the CEC adoption of Part 6, California Energy Code

The Energy Commission has adopted the update provisions for Part 6, which will be brought to the Commission for approval this summer for a July 2009 effective date.

6. CBSC COMMITTEE REPORTS

a) Approval of Green Building Committee's report from March meeting, including motion affirming CBSC's direction in the development of the Green Building Standards Code.

Commissioner Barthman reported the recommendation was to the full Commission that the process continue to proceed to the 45-day comment period. He further commented that these standards will be voluntary until the 2010 code makes them mandatory.

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Mr. Walls indicated that there are two green building bills that he is aware of, AB2939 and AB1473, that may affect the process.

Commissioner Barthman made a motion to proceed with the 45-day comment period. Seconded by Commissioner Jamison. **Motion carried.**

7. CODE CHANGE PROPOSALS

a) Division of State Architect (DSA EF 01/08)

Aaron Noble presented the proposal of the findings of emergency implementing AB 1531 to be effective July 1.

Moved by Commissioner Winkel based on the legislative mandate and the timeline that the Commission find that there is an emergency for adoption. Seconded by Commissioner Barthman. **Motion carried.**

Commissioner Jamison moved approval of the adoption of the code change. Seconded by Commissioner Winkel with the amendment that the specific color requirements referenced in the text of the proposed changes be repeated on the illustrations of 11B-18A. **Motion carried.**

b) Office of the State Fire Marshal (SFM EF 01/08 and 02/08)

Tonya Hoover presented the proposal of the emergency findings and adoption and approval of emergency building standards pertaining to the 2007 California Building and Fire Code, 01/08 and 02/08. The SFM is addressing an oversight in the amendment in the adoption of the 2007 Building and Fire Code with reinstating provisions of the 2006 IBC/IFC that would have been required without creating new requirements.

Commissioner Jamison moved the findings of emergency for the adoption of the State Fire Marshal EF 01/08 and 02/08. Seconded by Commissioner Jensen. **Motion carried.**

Commissioner Jamison moved approval of the adoption of the State Fire Marshal EF 01/08 and 02/08. Seconded by Commissioner Jensen. **Motion carried.**

c) Office of the State Fire Marshal (SFM EF 02/07)

Tonya Hoover presented the proposal of the SFM requesting certification of compliance and permanent approval of the emergency building standards pertaining to the CBC and the effective date of the Wildland Urban Interface standards of Chapter 7A.

Motion by Commissioner Jensen for approval to make the effective date July 1. Seconded by Commissioner Barthman. **Motion carried.**

d) Office of Statewide Health Planning and Development (OSHPD EF 01/07)

Sue Botelho presented the proposal of the certification and final approval of emergency adoption of ASCE 41-06.

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Motion by Commissioner Jamison for approval of the emergency building standards pertaining to regulations for a new consensus national standard. Seconded by Commissioner Barthman. **Motion carried.**

e) Office of Statewide Health Planning and Development (OSHPD EF 2/07)

Sue Botelho presented the proposal of the certification of compliance and permanent adoption for emergency building standards pertaining to HAZUS-MH MR 2. One comment was received from SCIU requesting the addition of the requirement that any building going from SPC-1 to SPC-2 be required to put in seismic instrumentations. After review, OSHPD took the position that they do not have statutory authority to make that type of requirement, so no proposals were made in that regard.

Motioned by Commissioner Winkel for approval of this item. Seconded by Commissioner Jamison. **Motion carried.**

8. NSF LEAD TASK GROUP PRESENTATION ON LEAD STANDARDS TO MEET AB 1953

Craig Selover from Master Corporation, Peter Dryman from NSF International, and Richard Sykes from East Bay MUD presented a summary of the progress of the completion of a product certification methodology for measuring lead content in compliance with AB 1953. A draft annex to cover the methodology of certification according to AB 1953 is now complete and awaiting approval processes, expected to be finalized in the September timeframe. The group is preliminarily requesting that the Commission adopt the provision on an emergency basis upon final completion. This item will be brought to the Commission at a later date.

9. FUTURE AGENDA ITEMS

None.

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

None.

11. ADJOURN

Madam Chair Marin adjourned the meeting at approximately 2:25 p.m.

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