

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

May 20, 2009

1. CALL TO ORDER

Chair Aguiar called the meeting to order at approximately 1:00 p.m., at the Department of Consumer Affairs, 1625 N. Market Blvd., Sacramento, California.

Chair Aguiar stated it was a pleasure to be back on the commission and in the administration. It is good to see familiar faces here on the commission. He thanked the Commissioners for their service.

ROLL CALL

Commissioners Present:

Chair Aguiar, Chairperson
Isam Hasenin, Vice Chairperson
James Barthman
Craig Daley
Christina Jamison
Stephen Jensen
Michael Paravagna
Steve Winkel
Richard Sawhill
Tony Hoffman

Commissioners Absent:

Susan Dowty

Also Present:

David Walls, Executive Director
Tom Morrison, Deputy Director
Teresa Boron-Irwin, Legal Counsel
Michael Nearman, Architectural Associate
Russell Frank, Associate Architect
Enrique Rodriguez, Construction Architect
Cynthia Biedermann, Assoc.Govt. Program Analyst
Stephanie Davis, Executive Assistant

2. APPROVAL OF THE MINUTES OF THE MARCH 2009 MEETING

Chair Aguiar requested a motion to approve the Minutes of the March 18, 2009 meeting. I was absent from that meeting. Commissioner Barthman made the motion to approve and Commissioner Paravagna seconded the motion. Chair Aguiar was absent from the March meeting and therefore abstained from the vote. **Motion carried.**

3. APPOINTMENT OF VICE-CHAIR OF THE COMMISSION FOR 2009

Chair Aguiar stated Commissioner Hasenin has been doing this for several years. He asked if there was a motion to continue. Motion to continue made by Commissioner Sawhill and seconded by Commissioner Barthman. **Motion carried.**

4. UPDATE OF 2009 CODE ADOPTION CYCLE

Mr. Walls provided a background on the progression of the 2009 Code Adoption Cycle timeline. There will be two additional codes that were absent from the previous cycle which are the new residential model code and the Cal-Green code. Agencies will begin submitting their proposed changes from June 1, 2009 to June 30, 2009. The next step in the process would be the submittal review by the Code Advisory Committees. These meetings are scheduled to begin with PEME – 1 day scheduled – July 7, ACCESS – 2 days scheduled – July 22 and July 23, GREEN – 2 days scheduled – August 4 and August 5, BFO – 2 days scheduled, as needed – August 10 and August 11, Health Facilities – 2 days scheduled, if needed – August 13 and August 14, and will be completed with SDLF – 2 days scheduled, if needed August 18, 2009. These meetings will be followed with a 45 day public comment period beginning September or October keeping on track for the January 2010 deadline.

No actions required.

5. CODE ADOPTION PROPOSALS

A) Corrections Standards Authority (CSA 01/08) – These are proposed approval of modifications to the California Code of Regulations, Title 24, Part 1, Section 13-102, addressing the definitions for local detention facilities, and Title 24, Part 2, Section 1231, which provides minimum standards for the design and construction of Local Detention Facilities.

A representative from the Corrections Standards Authority gave a brief overview of the regulation changes.

Chair Aguiar asked for a motion to approve. Motion moved by Commissioner Paravagna and seconded by Commissioner Winkel. **Motion carried.**

B) Building Standards Commission (BSC 02/08) – Proposed adoption of amendments to the California Code of Regulations, Title 24, Part 1. The proposed action amends regulations contained in Chapter 1, Article 1-9 relating to the Code Advisory Committees including the addition of the Green Building Committee. The proposed action adds regulations in a new Article 1-10 which prescribes CBSC's adoption process for green building standards and the new process for the transfer of fees collected by local jurisdictions pursuant to SB 1473.

Mr. Walls presented the proposal of the BSC.

Chair Aguiar asked for a motion to approve and adopt. Motion made by Commissioner Jensen and seconded by Sawhill. **Motion carried.**

C) Division of the State Architect (DSA-SS EF 01/09) – Approval of regulations to make permanent the emergency adoption of amendments to the California Code of Regulations, Title 24, Part 1 Section 4-330 regarding extension of approval for projects for which state funds have been suspended due to the Department of Finance Budget Letter No. 08-33 (interim loans for general obligation and lease revenue bond projects).

Howard “Chip” Smith presented the emergency proposal for final approval.

Chair Aguiar ask for a motion to approve. Commissioner Sawhill made the motion to approve and Commissioner Barthman seconded. Commissioner Paravagna recused himself from voting on this item. **Motion carried.**

7. ACCESS FOR DISABLED ACCOUNT (FUND 0006) AND FINANCIAL INTEGRITY AND STATE MANAGER’S ACCOUNTABILITY ACT

Mr. Walls gave a brief summary on this item. This item discusses the need to increase rates for the Division of the State Architect’s Access Compliance for disabled review program resulting from a shortfall between revenues and expenditures.

8. FUTURE AGENDA ITEMS
NONE

9. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THE AGENDA
NONE

6. CLOSED SESSION: PENDING LITIGATION (THIS ITEM MOVED.)

To confer with or receive counsel regarding Center for Environmental Health, et al. v. California Building Standards Commission, et al. (Alameda Superior Court Case No. RG09437040). (Authority Cited: Government Code Section 11126 (e)(1))

Chair Aguiar announced the Commissioners would be excusing themselves to go into closed session. The Commissioners, Dave Walls, Executive Director, Teresa Boron-Irwin, Leslie Lopez, and Stephanie all moved to the Santa Barbara room for closed session. On completion of closed session Chair Aguiar called the meeting back to order to finish the remaining items on the agenda.

10 ADJOURN

Chair Aguiar adjourned the meeting at approximately 1:45 p.m.