

**BUILDING STANDARDS COMMISSION
MEETING MINUTES**

January 19, 2011

1. CALL TO ORDER

Ms. Leslie Lopez called the meeting to order at approximately 10:00 a.m. at Department of Consumer Affairs, 1625 North Market Blvd., First Floor Hearing Room, Sacramento, California.

ROLL CALL

Commissioners Present:

Isam Hasenin, Vice Chair
James Barthman
Tony Hoffman
Stephen Jensen
Danielle Paxson
Richard Sawhill
Jeffrey Schnurr
Doug Williams
Steven Winkel

Also Present:

Leslie Lopez, Interim Chair
Dave Walls, BSC Executive Director
Stephanie Davis, BSC Executive Assistant
Erika Keeler, BSC Staff Services Analyst

Interim Chair Lopez led the Commission in the Pledge of Allegiance.

2. APPROVAL OF THE OCTOBER MEETING MINUTES

MOTION: Commissioner Barthman moved approval of the October Meeting Minutes. Commissioner Hoffman seconded. Motion carried with one abstention.

3. COMMISSIONER APPOINTMENTS

a) Swearing In New Commissioners

1. Danielle Paxson, Structural Engineer Member
2. Doug Williams, Local Fire Official Member
3. Jeffrey Schnurr, Licensed Contractor Member

b) Swearing In Reappointed Commissioner Steven Winkel

Interim Chair Lopez conducted the swearing-in of the new and reappointed members.

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4. LEGISLATION UPDATE

Mr. Walls introduced Ms. Keeler, Staff Services Analyst, who pointed out the bulletin listing legislative changes, effective January 1, 2011 that impacted the BSC directly last year. The bulletin was sent to all stakeholders and interested parties. They were the Gray Water Bill, the 18-month Cycle, and the California Department of Public Health (CDPH) bill to transfer adoption responsibility to the Commission.

Mr. Walls noted that in February the Commission would be facing more proposed legislation.

5. CURRENT CODE ADOPTION CYCLE

Mr. Walls stated that the 18-month cycle has officially begun. Agencies have submitted their proposed changes to the Commission.

a) Estimated Timeline

The Code Advisory Committee's first formal meeting should begin in March. This is followed by a 45-day comment period, and some action items should be presented at the July meeting. Another meeting will be held in October. BSC should have a publication by the first of next year, so the effective date would be July 2012.

BSC has kept the previous three cycles to 18 months, and expects to do the same for the current cycle. The next codes should be effective in January 2014.

b) Code Advisory Committee (CAC)

1. Recommended use of committees and possible ad hoc committee

At the October meeting, BSC discussed the potential that there may not be many proposals submitted from the agencies during the cycle. The Committee may combine or form an Ad Hoc Committee on some of the existing committees.

The default would be to call all committees to meet. The CBSC's recommendation, based on what we've received from the various agencies, is to bring the Accessibility Committee, Green Building Committee, and Building Fire and Other (BFO) Committee together, as they have provisions, updates, and fixes that need to be done.

There are not many changes for the Plumbing, Electrical, Mechanical, and Energy Committee, the Health Facilities Committee, and the Structural Design/Lateral Forces Committee. An option is to combine some of those members with the BFO Committee and let them hear all the provisions that would go before the committees. In terms of budget, this would reduce costs; it would also help expedite the process BSC is going through.

The Commissioners discussed possible action. They were in favor of streamlining the process. The consensus was for two Commissioners to work with staff to determine the reconstituted membership; Commissioners Barthman and Winkel volunteered.

2. Replacement of vacant position on Building Fire and Other CAC

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Many individuals have submitted resumes for the vacant position; Mr. Walls read their names.

Public Comment

- Mr. Bob Raymer, California Building Industry Association, stated that his organization supported a vote among the California Building Officials (CALBO) nominees, and that making the choice today was a good idea since the committee's Chair position was vacant.
- Mr. Mark Johnson, International Code Council (ICC), stated that ICC had worked with both candidates in various capacities over the years and was satisfied with their work.
- Kurt Cooknick, AIA California Council, spoke in support of the candidate Mr. Steve Kiefer.

MOTION: Commissioner Barthman moved to select Mr. Steve Kiefer for the replacement position on the Building Fire and Other Code Advisory Committee. Commissioner Jensen seconded. Motion carried unanimously.

MOTION: Commissioner Sawhill moved to create an Ad Hoc Committee. Commissioner Winkel seconded. Motion carried unanimously.

6. REPORT ON THE 2011 GREEN CALIFORNIA SUMMIT

Mr. Bob Graves reported on the summit. Highlights are as follows.

- Twenty-four CalGreen seminars were conducted in 2010 around the state. Over 3200 people were reached. 57% of the attendees were from the private sector, and 29% were architects, engineers, and contractors.
- Five in-depth commercial workshops were conducted, which included the schools.
- Training is scheduled out through April.
- The next CalGreen summit is scheduled for April 18-20, 2011. Over 5,000 participants are expected. ICC certification exams will be provided during the summit.

Mr. Walls noted that a Commission meeting is tentatively scheduled for the same week. The group discussed the possibility of meeting at the Convention Center.

7. PROPOSED EMERGENCY STANDARDS ADOPTIONS AND APPROVALS

a) Division of State Architect Structural Safety (DSA/SS EF 02/10)

Mr. Walls explained that these were the emergency regulations that were adopted in August, and could be made permanent today. Mr. Chip Smith and Ms. Masha Lutsek presented the item, which comprised administrative regulations in the California Administrative Code, Title 24, Part 1, Chapter 4 for K-12 public school and college

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programs, and was intended to streamline the certification process at the conclusion of construction.

During the 15-day public comment period, no comments were received.

Public Comment

- Mr. Cooknick stated that the AIA Council was very supportive of this effort.
- Mr. Tom Duffy, representing the Coalition of Adequate School Housing (CASH), stated that he appreciated very much the efforts of DSA, Mr. Smith and Ms. Lutsek in working for this significant school district issue: buildings not having certification due to paperwork is serious problem for state governments. There is much work still to do in this process.

MOTION: Commissioner Winkel moved to approve the regulations.
Commissioner Barthman seconded. Motion carried unanimously.

8. REPORT ON THE 2010 CODES

a) Publication

Mr. Walls brought the Commission up to date on the status of the 2010 codes. Official publication was July, so the codes were effective as of January 1, 2011. The International Code Council (ICC) has placed the codes online for free; CDs are also available.

All California jurisdictions must make the codes available to the public for free.

The electrical codes are the only ones that are not available online yet.

b) Training

Ms. Katrina Benny provided a training update, summarized below.

- In February 2010, the Commission launched an education and outreach effort with a new exhibit and printed material. By the end of the year, Commission staff had participated in excess of 15 events, including 9 conferences.
- The Commission's conference footprint went as far as the East Coast, when Mr. Walls was asked to participate in the Urban Green Expo in New York City and the Clean Air Summit in Baltimore this past fall.
- In accordance with the Commission's strategic objectives, staff focused on education programs and communication that supported local jurisdictions' building and safety divisions. They partnered with other state agencies such as the Department of Housing and Community Development and the Department of General Services' Division of the State Architect.
- The Commission also launched the Cal Code Quarterly, an electronic newsletter that is sent to nearly 2,000 individuals and is posted on the CBSC website.
- Most recently, guide for Title 24 and Cal Green have been completed and are available on the CBSC website.

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- The CBSC website is currently being reorganized in order to become more user-friendly.

Mr. Walls added that the Commission worked with a number of companies and agencies regarding green technology, ensuring that their own training included the California amendments this year. BSC continues to partner with whomever it can.

Mr. Stephen Kiefer of the California Building Officials (CALBO) stated that Northern California and Southern California had had education weeks at which 2400 students received training. CALBO has also been working with many partners like the California Building Industry Association (CBIA) and the International Code Council (ICC).

Mr. Dwight Perkins, Director of Field Operations at International Association of Plumbing and Mechanical Officials (IAPMO) stated that in their training since last fall, they have been highlighting changes from 2007 to 2010 to the California Mechanical and California Plumbing Code. They will continue until June, when they will switch into the 2010 CPC and CMC, going chapter by chapter of the code revisions. Mr. Perkins also stated that this year the codes are on CD-ROM in a hyperlink format, which he can provide to the Commissioners at no cost.

Mr. Johnson stated that the ICC has been active in training and certification. On January 1 they released a certification program for personnel in the operation of CALBO that has been well-received. For training, they have come out with five courses on various topics. They are providing the codes in as many formats as possible.

c) Errata

Mr. Walls remarked that errors are inevitable. Mr. Mike Nearman provided an update on the errata and emergency supplements. He listed the parts that would *not* have errata for the benefit of the Commissioners: Part 6, the Energy Code; Part 10, the Existing Building Code; and Part 12, the Reference Standards Code. All the rest have some updates and errata, which have been reviewed with the publisher.

Mr. Nearman listed the additional supplements and appendices. All are up on the BSC website.

Public Comment

- Mr. Pat Splitt of APP-TECH Inc. asked about the schedule with the publishers; why had there been a delay in publishing errata. Mr. Walls replied that the proof sometimes goes back and forth between BSC staff and the publisher, especially during the holiday season. However, the codes were effective on January 1 even if the printed version was not out.

Mr. Splitt voiced concern about the rules for publishing the codes and errata. Mr. Nearman noted that errata are posted online for the public as soon as they are noticed.

Commissioner Sawhill requested that this item be placed on the next agenda. He did not want the Minutes to reflect that there was a question about the

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rulemaking process for the Commission without clarification in future minutes of corrective action taken or that no corrective action was needed.

9. UPDATE ON THE CALIFORNIA ENERGY COMMISSION'S ADOPTION TIMELINE

Mr. Walls reported on communication he had with Mr. Bill Pennington of the California Energy Commission (CEC) regarding issue of the off cycle with the rest of the Title 24 codes. Mr. Pennington said that the CEC would endeavor to line up Energy Efficiency Standards with the BSC, effective January 2014. That would bring all of Title 24 in alignment.

Mr. Bob Ramos of the CEC noted that part of the difficulty was that the CEC was entitling its regulations based on the year they were adopted, as opposed to the year they were published and took effect.

10. STRATEGIC PLAN UPDATE

Mr. Walls stated that the Strategic Plan requires an annual update. Today's meeting had shown active information outreach, the bulletin, and training as part of BSC's goals and strategic objectives. BSC has been somewhat restricted by limited resources in attending model code national meetings.

Two important continuing outreach efforts are the guide on the CalGreen Code (as directed by SB1473) and The Guide to Title 24.

11. PRESENTATION ON SEISMIC SAFETY

Mr. Yousef Bozorgnia of the Pacific Earthquake Engineering Research Center (PEER) gave a presentation. Highlights are below.

- The current practice is that very tall buildings avoid some provisions of the Building Code. If the buildings follow the principles of mechanics, they get a permit. Design follows a process of having at least three peer reviewers from different disciplines. The local jurisdictions make the final decision on the permit process.
- Three projects in downtown Los Angeles were explained in detail:
 - Core wall with reinforced concrete
 - Dual system of core wall and frame, with reinforced concrete
 - Steel-braced frame

The buildings were analyzed according to five different levels of hazard.

- A clear conclusion was that performance-based design can save money in the event of a significant earthquake.
- Another PEER project was the development of seismic guidelines for performance of tall buildings in California. Two levels of seismic input were used: serviceability and maximum considered earthquake.
- Peer review is very important but under-regulated.

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- The seismic guidelines have been published and can be downloaded or ordered from the PEER Tall Buildings Initiative website.

Mr. Bozorgnia took questions and comments from the Commissioners, who were appreciative of the presentation.

Public Comment

- Mr. Fred Turner of the Seismic Safety Commission (SSC) followed up on comments by Commissioners Hasenin and Winkel. The SSC is pursuing some discussions about a code change proposal, initially looking at the International Performance Code, which at this point is worded in the form of guidelines. Perhaps the SSC could convince the International Code Council to adopt by reference the Tall Buildings Design Guidelines.

The Commissioners continued to discuss seismic safety with Mr. Bozorgnia.

12. FUTURE AGENDA ITEMS

Commissioner Sawhill had requested earlier in the meeting to have an update on the 2010 code errata.

Commissioner Barthman raised an issue that the disabled community had pointed out: getting disabled people removed from areas of refuge in high rise buildings. He sought an update.

Commissioner Winkel had a long-term request: that the Commission start taking inventory of jurisdictions' options of their level of Green Code. Mr. Walls responded that staff is going to be scanning in all the various ordinances and putting them online into a database.

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

- Ms. Jennifer West, Director for Water at the California Municipal Utilities Association, stated that last January she had contacted Mr. Walls to see what would be involved in adding a local government water conservation specialist to the Green Building Committee and the Plumbing, Electric, Mechanical, and Energy Committee, which address water-related issues. The Governor's Office had been very supportive.

Because of staffing limitations and other reasons, that process had gone no further. Ms. West asked the Commission to reconsider the request.

- Ms. Rosie Thompson of the Metropolitan Water District of Southern California, made the same request on behalf of that organization: for the Commission to reconsider the addition of a local water conservation expert on the two advisory committees.

Mr. Walls commented that all the committees would be reset this year.

- Mr. Splitt presented a petition to initiate an emergency rule-making session on the California Code of Regulations (CCR) because of serious lack of clarity in several sections.

Mr. Walls responded that some changes would be proposed for the next full process. Commissioners suggested that Mr. Splitt be involved in the next code cycle process.

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10. ADJOURN

Ms. Lopez adjourned the meeting at approximately 12:06 p.m.