

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

June 17, 2010

1. CALL TO ORDER

Chair Leonard called the meeting to order at approximately 3:35 p.m., at the Victims Compensation & Government Claims Board, 400 R, First Floor Hearing Room Sacramento, California 95814.

ROLL CALL

Commissioners Present: Chair Leonard, Chairperson
James Barthman
Craig Daley
Steve Winkel
Tony Hoffman
Stephen Jensen

Commissioners on Phone: Richard Sawhill

Commissioners Absent: Michael Paravagna
Isam Hasenin, Vice-Chair

Also Present: Dave Walls, Executive Director
Tom Morrison, Executive Deputy Director
Teresa Boron-Irwin, Legal Counsel
Stephanie Davis, Executive Assistant
Enrique Rodriguez, Construction Analyst

2. CLOSED SESSION: PENDING LITIGATION

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 Lopez announced the closed session and excused the Commissioners from the hearing room. They re-convened in a separate conference room for the duration of the closed session. On completion of closed session Chair Leonard & the Commissioners returned to the hearing room and called the meeting back to order to finish the remaining items on the agenda.

3. PROPOSED CODE ADOPTION AND APPROVAL

Leslie Lopez presented the proposal to the Commissioners. Chair Leonard asked for the action of the Commission. Commissioner Jensen presented the following motion:

I move to vacate and set aside the January 22, 2009 approval and adoption of California Code of Regulations, Title 24, Part 5, Section 604.11 and the amendments added to

California Code of Regulations, title 24, Part 5, Table 6-4 that reflected findings in the Environmental Impact Report upon which CBSC relied in its rulemaking, and to decertify those portions of the Final Environmental Impact Report prepared for these regulations that analyzed health risks, taste and odor impacts, and property damage impacts from premature failure from use in continuously re-circulating hot water systems.

Leslie Lopez indicated that the repeal would take effect on July 1, 2010. Chair Leonard asked if that needed to be included in the motion. Ms. Lopez indicated yes, that it needed to be included in the motion. Commissioner Jensen made the amendment to the motion adding the language that the repeal would take effect on July 1, 2010.

Chair Leonard asked for action on the motion to vacate made by Commissioner Jensen. Commissioner Barthman seconded the motion. **Motion Carried.**

4. FUTURE AGENDA ITEMS

NONE

5. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THE AGENDA

NONE

Chair Leonard stated the next Commission meeting would be a regularly scheduled meeting. He also stated that the new EIR for PEX was available for review and public comment and urged the public to take part in this public process.

6. ADJOURN

Chair Leonard adjourned the meeting at approximately 4:00 p.m.