

# BUILDING STANDARDS COMMISSION

## MEETING MINUTES

April 17, 2018

### 1. CALL TO ORDER

Chair Batjer called the meeting to order at approximately 10:04 a.m., 400 R Street, First Floor Hearing Room, California Victim Compensation Board, Sacramento, California.

### ROLL CALL:

Commissioners Present: Secretary Marybel Batjer, Chair  
Elley Klausbruckner  
Erick Mikiten  
Raj Patel  
Peter Santillan  
Kent Sasaki  
Juvilyn Alegre

Commissioners Absent: Larry Booth  
Steven Winkel, Vice-Chair

Commissioner Santillan led the Commission in the Pledge of Allegiance.

Chair Batjer gave the instructions regarding public comments and teleconferencing.

### 2. COMMISSIONER NEWS

**a)** Chair Batjer announced the passing of Commissioner James (Jim) W. Barthman, age 83, on March 23, 2018. She stated he passed away, surrounded by his family, in the comfort of his home in Castro Valley, CA. Commissioner Barthman served for over 17 years as a governor appointee to the California Building Standards Commission (CBSC). He served as a commissioner representing the public since January 2001, serving three governors during his tenure. He also served as vice chair at various times and served in numerous capacities on the commission, including as a chair or member on a number of commission committees and code advisory committees. He valued

serving as a commissioner, serving tirelessly, and was devoted to the commission's mission to implement the very finest and comprehensive building standards in the nation. Jim chaired the commission's GREEN Code Advisory Committee, both during the development of the nation's first Green Building Standard Code and as that code developed over the years. In recent years, he was a self-employed building code consultant. From 1990 to 2000, he worked at Underwriters Laboratories as a building and electrical code consultant and regional supervisor of codes and technical services. Jim served the city of Oakland as its chief building officer for a number of years and served as the chief electrical inspector and manager of inspector services during his tenure with the city of Oakland from 1975 to 1990. He was an instructor at the Laney and Chabot colleges from 1966 to 1996 and taught curriculums in building and electrical codes, plan review, and electrician apprentice courses. Jim served in the United States Army Reserves from 1957 through 1963. Chair Batjer stated with Jim's knowledge, expertise, his willingness to serve the people of California, and as a friend to the Commission and so many people, the loss is great. She stated she was honored to have served alongside him. She stated he was always the consummate gentleman and always so very well informed when he came to do the public work. Chair Batjer asked whether any of the commissioners had any comments in memory of Jim.

Commissioner Patel stated he received messages from all the building officials statewide who wanted to convey to Jim's family their deepest condolences. He stated Jim will always be remembered as the symbol of knowledge, integrity, courage, and for his lifelong example of professional and dedicated public service.

Chair Batjer thanked the association and the members. She asked if anyone attended the service.

Mia Marvelli stated she, Pam Maeda, and Vice-Chair Winkel attended the service. She stated it was interesting to hear stories of his personal life. She shared that Jim instituted the first women-only softball club in the late '70s, early '80s for his three daughters because there was no women's softball in the area.

Pam Maeda shared that Jim was a chief umpire for girls' softball as well. She stated she greatly appreciated the stories that the family shared. She stated he was a great man and will be missed.

Chair Batjer agreed he was quite the community leader and will be greatly missed.

**b)** Chair Batjer advised that Governor Brown reappointed Commissioners Alegre, Mikiten, and Sasaki on February 26, 2018 for additional four-year terms. Senate confirmations generally occur in May.

Chair Batjer swore in en masse the three commissioners and necessary documents were signed. Chair Batjer thanked them for their dedication, for serving the Commission and for being willing to serve again.

### **3. REVIEW AND APPROVAL OF DECEMBER 12, 2017 MEETING MINUTES**

#### **Questions or comments from the commissioners:**

No questions or comments from the commissioners.

**MOTION:** Chair Batjer entertained a motion to approve the December 12, 2017 meeting minutes. Commissioner Mikiten made a motion to approve, and it was seconded by Commissioner Santillan. The vote was unanimous to accept the motion.

### **4. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA**

#### **Questions or comments from the public:**

There were no public comments at this time.

### **5. EXECUTIVE DIRECTOR REPORT**

Mia Marvelli informed the Exterior Elevated Elements Subcommittee that CBSC, Department of Housing and Community Development (HCD), Division of the State Architect (DSA), and Office of the State Fire Marshal (OSFM) met and had a joint workshop in February with good public and state agency attendance. They vetted the recommendations that the subcommittee provided, as well as the public comments that were received during the certifying rulemaking process, to make the emergencies permanent. From those items, the state agencies came to a consensus on what they could move forward with during the Triennial Code Adoption Cycle. Those amendments will be included in the initial submittals, which will be submitted to CBSC by the end of May. Some of those items included defining exterior elevated elements and including that term within some of the already proposed sections. Additionally, OSFM is working on amendments to the ventilation regulations, including vent requirements. Those amendments will be seen when action is taken on rulemakings in December and January.

Ms. Marvelli advised that CBSC staff is working closely with Department of General Services (DGS) in shepherding an extensive website update to all of the divisions within DGS. There will be a go-live date in September, delayed from July due to the complexities with all of the affected departments within DGS. The go-live date coincides with the public comment period, so she stated there are reservations about switching over to an entirely new website format during that process.

Chair Batjer suggested Ms. Marvelli reach out to her if there are any concerns.

Ms. Marvelli reported CBSC changed its interested-party mailings. They previously used Microsoft Outlook; now they have switched over to an application called MailChimp, which has been easier for admin staff and much more efficient. The database is managed by that application as opposed to staff maintaining it. Admin staff did a trial run with the SB1473 mailing list. Once that was successful, they did an email outreach to stakeholders advising them of the change. They experimented with their newsletter back in January, and that was successful. Another benefit of MailChimp is staff is able to get reporting back as far as incorrect email addresses and the number of subscribers. There was a 25 to 30 percent open rate out of 2,500 stakeholders. It is anticipated that by July CBSC will be 100 percent transitioned, and Stakeholders who currently receive paper mailings (there are fewer than 200) were advised they will no longer receive a hard copy. This number has been considerably reduced over the last few years.

Ms. Marvelli discussed the triennial cycle and that today the commissioners will be taking action to nominate the members of the code advisory committees. She reiterated that the initial rulemakings will be submitted by the state agencies to CBSC by the end of May. Staff will be reviewing those rulemakings to ensure they comply with the ADA [Americans with Disabilities Act] and Building Standards Law. Staff will be preparing those for the code advisory committees, which will be heard this summer. Those meetings will begin in mid-July and run through late August. Two or three public comment phases will happen over the course of the fall of 2018. Action will be taken by the commission in December, with possibly two-day meetings in December, as well as January, to review all of the proposed language and get ready for codification that will create the 2019 Title 24 edition that will become effective the following January.

**Questions or comments from the commissioners:**

No questions or comments from the commissioners.

## **Questions or comments from the public:**

No questions or comments from the public.

**6. THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD EF 01/18):** Emergency housing provisions for the 2016 edition of the California Building Code (CBC), Part 2 and California Residential Code (CRC), Part 2.5 of Title 24, California Code of Regulations.

Chair Batjer stated due to lack of affordable housing, an increase in the homeless population and several recent natural disasters, it has been necessary for local jurisdictions to establish and approve emergency housing on very short timelines. However, local jurisdictions need to ensure that the housing is durable and safe. Department of Housing and Community Development (HCD) is proposing emergency building standards that will provide a consistent standard by which local agencies may develop emergency housing or shelter ordinances and provide a minimum set of building standards for compliance. Chair Batjer stated the commission will take action on the finding of emergency and determine whether the finding is acceptable. The commission must concur or not concur with each state agency's finding of emergency. If the commission does not concur with the finding of emergency, no further action will be taken on the emergency regulations. If the commission concurs with the finding of emergency, the commission will then consider the proposed emergency regulations and take action to approve, disapprove, return for further study or approve as amended the proposed code change based upon the criteria stated in the Health & Safety Code 18930.

**a)** Emily Withers, Codes and Standards Administrator II, and Stoyan Bumbalov, Codes and Standards Administrator I, appeared on behalf of HCD. Ms. Withers extended condolences to the family and friends of Commissioner Barthman and to the commission who lost a valuable public member representative for the commission. She stated HCD has fond memories of Commissioner Barthman lending his expertise to various building standards, especially related to electrical matters.

Ms. Withers stated HCD has submitted an emergency rulemaking package that will add a voluntary Appendix N to the 2016 California Building Code (CBC) and voluntary Appendix X to the 2016 California Residential Code (CRC). Both appendices are similar and placed in both codes so jurisdictions may locally adopt either appendix, because some local agencies may not have adopted the residential code. These standards were developed for the following reasons: (1) To address the critical need for emergency housing, especially during periods of natural disasters when Californians are

left without homes or with homes that are not habitable. There is also a critical need to address the issue of finding housing, sometimes temporary, for Californians who are chronically homeless; (2) Local jurisdictions are faced with finding and approving emergency housing in these situations, but do not have specific guidance in the California Building Standards Code to ensure that the emergency housing meets minimum standards for health and safety; (3) In Chapter 786, statutes of 2017, AB 932 directs HCD to review and approve draft emergency housing ordinances of seven specified jurisdictions. This legislation became effective January 1, 2018, however, it did not provide specific building criteria for HCD to use when reviewing and approving these ordinances. At this time, HCD has completed review and approval of one draft ordinance that was received from the city of Los Angeles; (4) The current California Building Standards Code does not include a specific section addressing emergency housing. The code also does not recognize the use of some types of housing, for example tents or transportable housing units, as suitable for emergency housing; (5) HCD's review and approval should be based on codified criteria. A formally codified standard provides local agencies with a set of emergency housing building standards on which to base their emergency ordinances. These standards were developed from model codes, including the 2018 International Residential Code, Government Code sections addressing shelter crises, Health & Safety Code sections addressing camping cabins and park trailers, and the California Code of Regulations Title 25 requirements for tents, maintenance and location of specific structures, and provisions for kitchens, bathrooms, heat and waste. HCD's proposal is submitted on an emergency basis pursuant to Government Code Section 11346.1 to facilitate local ordinance review pursuant to AB 932 and to make available codified provisions related to emergency housing. Submittal as emergency regulations also avoids delays in application of the standard by codification prior to the effective dates of the 2018 Triennial Code Adoption Cycle, with an effective date of January 1, 2020, or the 2019 Intervening Code Adoption Cycle with an effective date of July 1, 2021. These emergency regulations, if approved, will need one to two readoptions prior to 180 days to remain in effect and will need to undergo a formal rulemaking process to make the regulations permanent. HCD will be preparing an information bulletin to notify their stakeholders of the emergency regulations. These emergency regulations are also being incorporated into HCD's proposals for the 2019 California building standards and California residential codes and were introduced in a focus group meeting convened by HCD on April 5, 2018. HCD requests that CBSC concur with HCD's finding of emergency and approve HCD's proposed adoption of the emergency regulations EF 01/18 related to emergency housing.

**Questions or comments from the commissioners:**

Commissioner Sasaki requested clarification from Ms. Marvelli if the two new appendices, one in the CBC and one in the CRC, were necessary because some jurisdictions do not adopt the CRC. He was of the belief that all jurisdictions in the state of California have to adopt the CBSC [California Building Standards Code], which includes the CRC.

Ms. Marvelli confirmed it is adopted for all local jurisdictions to use the CRC. She stated there are some jurisdictions that utilize just the CBC. Her understanding of HCD's proposal is they wanted to ensure the appendices are in both because you can design the residential occupancies from either code.

Mr. Bumbalov stated the initial intent was to amend only the residential code but, because they are including existing buildings and also a type of commercial occupancy converted to residential, it will be under the building code too. He stated that was the main reason to have two appendices. The requirements are the same, but they are just in different building codes.

Commissioner Sasaki asked if the appendices came from a combination of multiple documents-from the International Building Code (IBC) and the housing code.

Mr. Bumbalov stated HCD had to evaluate the local ordinances, then compared it with some specific requirements for a substandard building. A substandard building cannot be used for emergency housing. However, because HCD tried to address all different types of housing, there are different provisions for substandard housing for each type of building.

Commissioner Sasaki commended HCD for putting this together. He asked whether HCD or some other state agency has thought to bring this forward to IBC for consideration, since it does not appear that there are appendices that address emergency housing currently in the IBC.

Mr. Bumbalov stated HCD did not have enough time to reach out on a national level. There are some FEMA [Federal Emergency Management Agency] provisions, and some states are using different measures. He stated HCD is trying to provide some guidance or tools for the local jurisdictions to use. It will be a voluntary appendix, so if specific local jurisdictions want to adopt it, then it may become mandatory.

Commissioner Klausbruckner noticed on the emergency sleeping cabins there was not a section requiring plumbing as mandatory. She asked whether there would be remote plumbing somewhere available within the premises.

Mr. Bumbalov confirmed that is correct. He stated this proposal requires kitchen facilities and toilets for structures that are dependent structures, so if the sleeping cabin does not have plumbing, some kind of electrical is required. There should be an emergency housing facility on the site, as in Section 110.3. He gave examples relating to RVs and trailer parks.

Commissioner Klausbruckner requested clarification whether emergency sleeping cabins do not stand alone.

Michael Nearman, CBSC, asked for a point of order. He reminded the commission to follow through with the process of the approval of the emergency before getting into the regulatory information.

#### **Questions or comments from the public:**

Greg Andersen from the Office of the State Fire Marshal (OSFM) gave his support and stated there is justification for the approval of these emergency regulations. In dealing with the local fire agencies, this is a common thing that is going through the state on how to deal with these facilities that are being set up.

**MOTION:** Chair Batjer entertained a motion to consider Department of Housing and Community Development's finding of emergency. Commissioner Mikiten made a motion to approve, and it was seconded by Commissioner Sasaki. The vote was unanimous to accept the motion.

**b)** Chair Batjer stated HCD will present the proposed emergency building standards. The emergency building standards will add appendices to the 2016 California Building Code (CBC) and California Residential Code (CRC), which local jurisdictions can adopt and utilize for emergency housing local ordinances. If approved, the emergency building standards will take effect upon filing with the Secretary of State.

Emily Withers, Codes and Standards Administrator II, and Stoyan Bumbalov, Codes and Standards Administrator I, appeared on behalf of Housing and Community Development (HCD). Mr. Bumbalov thanked Greg Andersen and OSFM for their review of HCD's emergency package and apologized for not mentioning that previously. He stated he was not planning to cover section by section, but he will address any additional details the commissioners want; for example, details on the specific cabins and the dependent units.



## **Questions or comments from the commissioners:**

Commissioner Klausbruckner wanted confirmation that the term “emergency housing facilities” is all-encompassing. She stated usually with code development there is the general section that applies to everything, and then you have the subsections for the different types of facilities. Her understanding is that for emergency cabins the “emergency housing facilities” does apply.

Mr. Bumbalov confirmed that is correct. He stated HCD used existing language for emergency sleeping cabins. In Title 25 and Health & Safety Code, they do not allow plumbing and mechanical. He stated HCD does allow plumbing and mechanical. If there is plumbing and mechanical, then compliance with plumbing and mechanical code would be required. If there is no plumbing and mechanical, there are some minor health and safety measures required. If the unit is a dependent unit, then “emergency housing facilities” will apply to the sleeping cabins.

Commissioner Mikiten had a question regarding the two appendices, N and X. He questioned why an appendix would have to be in the CRC if there is already an appendix in the main building code. Everybody is adopting the main building code, and the CRC is only selectively adopted.

Mr. Bumbalov reiterated that HCD reached out to local jurisdictions. They coordinated with the city of Los Angeles to develop HCD’s package and to develop their local ordinance. The main request was to duplicate these appendices because they will cover different types of housing. He stated they are unclear whether this is the correct way forward, but additional time will assist in the evaluation process and to receive additional feedback.

Commissioner Mikiten wanted clarification they are intended to be identical.

Mr. Bumbalov confirmed that is correct.

Commissioner Mikiten stated duplicating different sections, in the adoption process, is generally avoided for fear of not having them match or being updated in one location and not the other, so he is wary about that; however, that could possibly change as they proceed and implement. He stated he did find one instance where they don’t match, which is page 9 of 13 and Section N103.6. That should be AX103.6. This is in Appendix A, not N. He surmised it was a copy-paste typo. Looking at the content of that section, if you compare it with N103.6, the content is also different. N103.6 states “all sleeping areas shall be provided with adequate heating as determined by the

authority having jurisdiction,” whereas there are particular temperatures given in the misnamed N103 in Appendix A.

Ms. Withers stated on page 9 of 13 versus page 4 of 13, in reference to heating, she can see the reference in what is supposed to be AX103.6 is much more specific than for the CBC. She stated that they will take that back, but wondered, since it was an emergency, whether it should be called editorial and go with one or the other.

Mr. Bumbalov stated these are two different sections, and so one covers everything. Section 104 is specific to sleeping cabins. It may contain a specific requirement. Similar to the building code, HCD has a general question where they provide the general requirements, and they apply throughout this appendix, unless specifically referenced in sections addressing specific types of housing. He agreed that they should change the section number; however, there is a difference between the general requirement and the requirement for sleeping cabins.

Commissioner Mikiten asked whether it is intentional that the content of those two sections is different. He stated in comparing both of the appendices, it was the only place he saw that was different and surmised it was a typo or copy-paste error.

Mr. Bumbalov confirmed, if they are both under emergency housing, then it should be the same language; if not, it is editorial and will be corrected.

Chair Batjer confirmed it is at the top of page 4 of 13.

Commissioner Sasaki asked what section is the correct regulation.

Mr. Bumbalov referred the commissioners to page 4 of 13, Heating. It states, “All sleeping areas shall be provided with adequate heating as determined by the authority having jurisdiction.” He stated this is the general requirement. It sets the standard. They do not specify what type of heating and how many degrees. He began to discuss the bottom of page 9, which is N103.6 but should be AX103.6-this heating is specific. He thereafter recanted that statement.

Commissioner Sasaki stated that is also in the general section.

Mr. Bumbalov stated it is both in the general section, and it is a typo. That section should be part of the sleeping cabins and it will be corrected. He asked what the procedure would be.

Ms. Marvelli stated a short break could be taken while HCD decides which appendix they want it to be, then they could request approval as amended.

(A brief recess was taken.)

Mr. Bumbalov stated the correct language is on page 4 of 13, Section N103.6, Heating. It was intended to provide a general statement. What appears on page 9 of 13, Section N103.6, which should be AX103.6, is old language. HCD has removed it and replaced it with the general statement because it is too specific and will create conflicts if it is applied to all types of emergency housing.

Chair Batjer asked whether the number will remain N103.6.

Mr. Bumbalov clarified on page 9, the number will be AX103.6.

Chair Batjer asked legal counsel whether the commission can proceed with this as an editorial change.

Viana Barbu, legal counsel, advised during the general rulemaking process, if there was a major change at this point, they would have to go back through the entire rulemaking process because a major change would require public comment again; however, the emergency rulemakings do not have that provision. They do not have what would happen in the event of a major or minor change. She cautioned the commission to apply the same standards. If this is found to be a major change, it should be returned for further study; for a minor change, as HCD has explained, then it is likely okay to approve an amendment.

Commissioner Mikiten thanked Viana for the clarification. He understands the intention was that these two appendices would be identical and that the more general statement is the more appropriate one. He stated he is satisfied that this will be an editorial change.

Commissioner Mikiten brought up a couple of other items. He stated on page 4 of 13, in Section N104.3, in the exception, it refers to "in accordance with Section AN108," however, it should just be N108. He asked what the rationale was behind leaving so many elements to the authority having jurisdiction rather than getting specific. He asked whether it was just for timeliness to create these regulations or if there is a concept there.

Mr. Bumbalov stated, by law, these local jurisdictions are allowed to enact the local ordinances for emergency housing by bypassing the building codes and standards. HCD is trying to provide some very basic, very minimal health and safety measures. There are some specific measures they could not specify; for example, fire suppression, fire and life safety, which require many more pages to specify their requirements. They left it to the local building departments. He stated the same thing applies as it relates to heating. This is why there is the general statement, because there are different types of housing, and it needs to be evaluated and determined based on the type of housing and occupancy as to what kind of heating you can provide there. He stated with regard to the certifying process, HCD is planning to coordinate with CBSC. HCD included the appendices in their rulemaking packages for the triennial code adoption cycle. They had their focus group meetings and there will be 45-day and 15-day public comment periods. He stated, upon receipt of additional feedback, HCD will make corrections as needed.

Commissioner Mikiten stated his understanding was, at least as of a couple weeks ago, HCD had not heard back from many of the jurisdictions that are referenced in the bill and wanted clarification.

Mr. Bumbalov stated, of the seven jurisdictions that were addressed in the law, HCD coordinated with the city of Los Angeles and received feedback from the city of Santa Clara and the city of San Francisco. They also had individual informal conversations with CALBO [California Building Officials] members. HCD incorporated those suggestions. HCD is expecting to get additional feedback from the formal triennial code cycle public comment periods.

Commissioner Sasaki asked if the appendices were only in the CBC and not in the CRC during the adoption of the new triennial code cycle model codes, would that would limit its usefulness. He stated, as a commission, it is their responsibility to reduce the number of duplicative occurrences of regulations, so if there was only one appendix in the CBC that would still be accessible and useable by jurisdictions, why not just keep it in the CBC and not in both.

Mr. Bumbalov stated it was intended to be in the residential code; however, this duplication was requested by local jurisdictions. Having extra time to go through the process and get additional feedback from the local jurisdictions, hopefully with more participation, will be beneficial.

Commissioner Santillan commended the thorough work that HCD performed. He stated the proposal talks about existing buildings and if any building is repurposed for housing.

He asked if those buildings, or modifications to buildings, are all subject to the existing building code that is in place.

Mr. Bumbalov confirmed that is the intent.

Commissioner Patel thanked HCD for developing the helpful appendices for local jurisdictions. He asked, if someone was going to build new buildings for emergency housing, is it the intent that they would comply fully with the building codes.

Mr. Bumbalov confirmed that is the intent. He stated general section N103.1, on page 3 of 13, second paragraph, states that a new building constructed under the California Building Code can be used as emergency housing, and it can be permanently occupied. Sleeping cabins and transportable units that do not comply with the California Building Standards Code can be used, but on a temporary basis. He stated unfortunately, there is not a time frame. They try to align with the state law, but the state law does not provide a time frame. It sets the time of emergency, but not the specific time. There may be an issue with that in some areas because they are in a constant emergency, but at this time HCD could not address it in this package.

#### **Questions or comments from the public:**

Dawn Anderson asked if permanent supportive housing is going to be addressing the permanent housing. If it is permanent housing, is it limited to single-family dwellings? If it is not limited to single-family dwellings, then will this topic be captured in other areas of the building code, especially in consideration for persons with disability, since it is public entity funding?

Mr. Bumbalov stated this appendix is intended to cover different types of housing, including single-family dwellings.

Chair Batjer clarified Ms. Anderson's question, the word she used was "permanent."

Mr. Bumbalov confirmed it includes permanent occupancy. He stated it is the intent that if it is built under the California Building Standards Code, complies with their requirements, and is not a substandard building, then it can be occupied on a permanent basis. In regards to housing accessibility, it is addressed in Section N107, page 5 of 13. It refers to Chapter 11B because these, most likely, are public buildings owned or operated by a public entity. In regards to the U.S. Access Board requirements, these are not adopted by DOJ [U.S. Department of Justice] or HUD [U.S.

Department of Housing and Urban Development] yet; however, they can be enforced on a local level.

Ms. Anderson asked if that information is available on a web link.

Mr. Bumbalov stated he believes HCD will provide a link to CBSC to post on their website.

Ms. Marvelli asked for confirmation that these express terms are available on the website.

Ms. Anderson stated she is reviewing the agenda and asked if agenda item No. 6 related to what is being read at this point.

Ms. Marvelli confirmed that is correct. She advised there is a link on the agenda to the finding of emergency and the express terms. She advised Ms. Anderson, if she needs assistance locating the web information, to contact CBSC's office.

Greg Andersen gave his support for this package. He stated it allows the fire agency to weigh in. It is a very general statement, and it is much better than what there is currently.

**MOTION:** Chair Batjer entertained a motion to consider Department of Housing and Community Development's proposed emergency building standards with modifications. Commissioner Mikiten made a motion to approve these emergency regulations with the following corrections: On page 9 of 13, Section N103.6, Heating, should be called Section AX103.6, Heating, and should be identical to the N103.6 Heating section on page 4 of 13; and, secondarily, on page 4 of 13, the exception under N104.3 should refer to Section N108 rather than AN108. It was seconded by Commissioner Sasaki. The vote was unanimous to accept the motion.

## **7. CBSC CODE ADOPTION COMMITTEE REPORT: CODE ADOPTION COMMITTEE NOMINEES FOR APPOINTMENT TO THE CODE ADVISORY COMMITTEES:**

Chair Batjer stated the appointment of persons to the commission's code advisory committees takes place every three years. Members serve three-year terms and are not compensated, but are reimbursed for necessary travel expenses and the state thanks them profusely. The code advisory committees review the technical merit of building standards proposed by state agencies and provide recommendations to the

commission based upon the nine-point criteria established in the statute. Committee members appointed by the commission represent the public, the disability community, building design professionals, the building and construction industry, local government building officials, fire officials, environmental organizations, and other affected parties. The commission's Code Adoption Committee is comprised of Commissioners Patel, Klausbruckner, Santillan, and the late Jim Barthman. This subcommittee of the commission met on February 14, 2018 and selected nominees for the various positions on each Code Advisory Committee. Commissioner Barthman was the chair of this subcommittee. Commissioner Patel will step in to summarize the subcommittee's recommendation for each Code Advisory Committee. The commission will take action on each Code Advisory Committee affirming the nominated candidates.

Commissioner Patel first gave thanks, on behalf of the subcommittee members, to CBSC staff, especially Barbara and Pam, for their wonderful and painstaking efforts to assemble all the information in a coherent manner. He stated he will present the committee member selection recommendations to the full commission. There are six Code Advisory Committees, as noted on the agenda, Item No. 7a through 7f.

**a) Accessibility (ACCESS)**

The subcommittee [Code Adoption Committee] recommended the following nominees:

Ex-Officio (Commissioner Patel explained the Ex-Officio members represent state agencies and are advisory, nonvoting members): Chris Adamson, from University of California; Eric Jacobsen, from Office of Statewide Health Planning and Development (OSHPD); and Angela Jemmott, from California Commission on Disability Access (CCDA). Carol Loeffler, with California Department of Public Health (CDPH), was added.

Disability Advocate – Visually Impaired: Eugene Lozano, Jr.

Disability Advocate – Hearing Impaired: Dawn Anderson

Disability Advocate – Mobility Impaired: John Paul Scott

Disability Advocate – Environmental Health or Other Cognitively Impaired:  
Commissioner Patel stated originally the subcommittee had Carol Loeffler, who they discovered was now a state employee, so they recommended suggesting someone from the second call. The subcommittee's recommendation is Richard Skaff.

Local Government Building Official: Brad Wungluck

Construction Industry: Michael Gibbens

Architect: Jay Whisenant

Fire Official: Briton Rockafellow

Public Member: Daniel Kaiser

Chair: Jay Whisenant

**Questions or comments from the commissioners:**

Michael Nearman, CBSC, noted that Carol Loeffler was not able to serve in the Disability Advocate capacity; however, because she is a representative, she would like to serve in an Ex-Officio role, so that would be how she was moved from the voting member to the nonvoting member position. He recommended to the commissioners that, in their final motion, they include her as an Ex-Officio.

Commissioner Patel stated it was discussed at the subcommittee meeting, and he is in agreement with what Mr. Nearman stated.

**Questions or comments from the public:**

No questions or comments from the public.

**MOTION:** Chair Batjer entertained a motion to consider the nominations to the commission's Accessibility (ACCESS) Code Advisory Committee. Commissioner Sasaki made a motion to approve, with the addition of Carol Loeffler to the Ex-Officio position, and it was seconded by Commissioner Mikiten. The vote was unanimous to accept the motion.

Chair Batjer congratulated and thanked the new members for their volunteer service to the state of California.

**b) Building, Fire and Other (BFO)**

The subcommittee recommended the following nominees:



Ex-Officio: Gini Krippner, from the U.C. system; Crystal Sujeski, from Office of State Fire Marshal; and Lynn Palmer, from DGS (Department of General Services). Carol Loeffler, with CDPH, was added.

Local Government Building Official: Ali Fattah

Registered Fire Protection Engineer: Armin Wolski

Construction Industry: Dave Walls

Architect: Kerwin Lee

Commercial Building Industry: Robert Raymer

Fire Official: Sagiv Weiss-Ishai

Disability Access Advocate: Commissioner stated the subcommittee suggested Carol Loeffler; however, she is an Ex-Officio. The subcommittee recommends Dawn Anderson.

Public Member: John Chrysler

Chair: Ali Fattah

**Questions or comments from the commissioners:**

Ms. Maeda asked if Carol Loeffler would be considered as Ex-Officio for BFO as well.

Commissioner Patel confirmed that is correct.

**Questions or comments from the public:**

Dawn Anderson stated she is honored to serve in the capacity of the Disability Access Advocate. She would be glad to relinquish this position if someone from the disabled community were to come forth and show interest.

**MOTION:** Chair Batjer entertained a motion to consider the nominations to the commission's Building, Fire and Other Code Advisory Committee. Commissioner Santillan made a motion to approve, with the addition of Carol Loeffler to the Ex-Officio

position and Dawn Anderson as the Disability Access Advocate, and it was seconded by Commissioner Mikiten. The vote was unanimous to accept the motion.

Chair Batjer thanked the new members for their volunteer service to the state of California.

**c) Green Building (GREEN)**

The subcommittee recommended the following nominees:

Ex-Officio: Ingrid Neumann, from California Energy Commission; Josephine Ortega, from University of California; Dana Papke Waters, from Air Resources Board; and Lynn Palmer, from DGS.

Residential Construction Industry Representative: Judi Schweitzer

Commercial Building Industry Representative: Robert Raymer

Architect: Dennis Corelis

Environmental Organization Representative: Megan Cordes

Local Government Building Official: Gregory Mahoney

Public Member or Local Government Water Efficiency Official: Dave Walls

Fire Official: Briton Rockafellow

Mechanical Engineer or Energy/Building Performance Specialist: Osama Younan

Electrical Engineer, Electrical Inspector, or Energy/Building Performance Specialist: Ron Takiguchi

Chair: Gregory Mahoney

**Questions or comments from the commissioners:**

Commissioner Santillan asked for confirmation that individuals could serve on more than two committees.

Mr. Nearman confirmed that is correct.

## **Questions or comments from the public:**

No questions or comments from the public.

**MOTION:** Chair Batjer entertained a motion to consider the nominations to the commission's Green Building Code Advisory Committee. Commissioner Sasaki made a motion to approve, and it was seconded by Commissioner Mikiten. The vote was unanimous to accept the motion.

### **d) Health Facilities (HF)**

The subcommittee recommended the following nominees:

Ex-Officio: Connie Christensen, from OSHPD; Dana Johnson, from University of California; and Lynn Palmer, from DGS.

Acute Care Hospital Representative: Carl Scheuerman

Skilled Nursing Facility Representative: Bill Zellmer

Architect: David Field

General Contractor: Rene Amy

Mechanical Engineer: Sudhir Kumar Agrawal

Electrical Engineer or Inspector – Commissioner Patel stated there was only one applicant, Rene Amy, who was selected for another position on this committee. After a second call request, the subcommittee's recommendation is Jun Timbang.

Fire Protection Engineer: Cheryl Domnitch

Local Government Building Official: Sharon Goei

Primary Care or Specialty Clinic Representative – Commissioner Patel stated there were two applicants and both were selected for other positions. After a second call request, the subcommittee's recommendation is Michelle Malone.

Chair: Cheryl Domnitch

**Questions or comments from the commissioners:**

No questions or comments from the commissioners.

**Questions or comments from the public:**

No questions or comments from the public.

**MOTION:** Chair Batjer entertained a motion to consider the nominations to the commission's Health Facilities Code Advisory Committee. Commissioner Mikiten made a motion to approve, with the addition of Jun Timbang to Electrical Engineer or Inspector and Michelle Malone to Primary Care or Specialty Clinic Representative, and it was seconded by Commissioner Santillan. The vote was unanimous to accept the motion.

**e) Plumbing, Electrical, Mechanical and Energy (PEME)**

The subcommittee recommended the following nominees:

Ex-Officio: Fred Bockmiller, from University of California and Lynn Palmer, from DGS. Commissioner Patel stated the subcommittee added Dwight Good, who is an Ex-Officio member and part of CAL FIRE.

Local Government Building Official: Brad Wungluck

Environmental/Energy Organization: Michael Stone

Construction Industry: Harry Moos

Architect: Jay Hyde

Fire Official: Commissioner Patel stated Dwight Good was initially selected from the second call, but he is with CAL FIRE. After a second call request, the subcommittee's recommendation is Briton Rockafellow.

Public Member or Local Government Water Efficiency Official: Gale Bate

Plumbing Inspector: Francois Moufarrej

Mechanical Engineer: Edward Saltzberg

Electrical Engineer or Electrical Inspector: Ron Takiguchi

Chair: Ron Takiguchi

Chair Batjer requested clarification that it was acceptable for Mr. Takiguchi to serve as a member and chair for both roles.

Ms. Marvelli and Mr. Nearman confirmed that is correct.

**Questions or comments from the commissioners:**

No questions or comments from the commissioners.

**Questions or comments from the public:**

No questions or comments from the public.

**MOTION:** Chair Batjer entertained a motion to consider the nominations to the commission's Plumbing, Electrical, Mechanical and Energy Code Advisory Committee. Commissioner Sasaki made a motion to approve, with the addition of Dwight Good to Ex-Officio and Briton Rockafellow to Fire Official, and it was seconded by Commissioner Mikiten. The vote was unanimous to accept the motion.

**f) Structural Design/Lateral Forces (SDLF)**

The subcommittee recommended the following nominees:

Ex-Officio: Fred Turner, from Seismic Safety Commission; Jia Wang-Connelly, from Office of Statewide Health Planning and Development (OSHPD); and Eric Wolff from the U.C system. Mr. Nearman discussed adding Eric Jacobsen however, he is from OSHPD and there is already a member from OSHPD on the committee.

Three Structural Engineers: Ed Gharibans, Michael Hill, and Mehrshad Mark Ketabdar

Architect: Gary McGavin

General Contractor: John Oglesby

Local Government Building Official: Sharon Goei

Public Member: Hormoz (Homer) Maiel

Chair: Mehrshad Mark Ketabdar

**Questions or comments from the commissioners:**

Commissioner Mikiten wanted clarification on the discrepancy with Eric Jacobsen.

Mr. Nearman clarified that when there are two Ex-Officios from the same agency, only one is selected.

Chair Batjer clarified that Jia Wang-Connelly is also from OSHPD.

**Questions or comments from the public:**

No questions or comments from the public.

**MOTION:** Chair Batjer entertained a motion to consider the nominations to the commission's Structural Design/Lateral Forces Code Advisory Committee. Commissioner Mikiten made a motion to approve and it was seconded by Commissioner Klausbruckner. The vote was unanimous to accept the motion.

**8. FUTURE AGENDA ITEMS**

Commissioner Klausbruckner commented on two items: (1) She asked about the possibility of looking into using electronic copies versus hard copies; (2) She requested CBSC ask the code advisory committee chairs to report back to the commission, when an incumbent is reapplying, on how many meetings they attended and how many they missed. There was a lot of emphasis placed on somebody that is an incumbent without knowing whether they were actually present and actively attending meetings or not.

Ms. Marvelli stated that implementing electronic copies has been discussed and is a priority. They had a staff member leave and that was one of his assignments. They are in the process of hiring someone to fill that need. Ms. Marvelli stated, in response to Commissioner Klausbruckner's other comment, that staff could ask that of the chairs of these code advisory committees during their orientation, and staff could assist with this task as well.

Ms. Maeda stated staff keeps roll call sheets, so the data can be compiled.

Mr. Nearman stated CBSC is in the process of running those committees anyway, so CBSC would be the best source for that.

Chair Batjer commented that Commissioner Klausbruckner's comments were discussed here and would not need to be under future agenda items.

Ms. Marvelli agreed these items would not need to be on a future agenda. She suggested status could be reported back to the commissioners in an executive director report, rather than having the chair of each committee coming in and giving a report.

Chair Batjer stated these items will be added in the future to the Executive Officer's Report.

**Questions or comments from the public:**

No questions or comments from the public.

**9. ADJOURN**

**MOTION:** Chair Batjer entertained a motion to adjourn the meeting. Commissioner Mikiten made a motion to approve and it was seconded by Commissioner Santillan. The vote was unanimous to accept the motion.