



## Final Transcript

### STATE OF CA – DEPT OF GENERAL SERVICES: ACC Task Force Meeting

April 26, 2018 /9:30 a.m. PDT

#### **SPEAKERS**

Ida Claire  
Derek Shaw  
Greg Bourne  
Susan Moe  
Jessica Axtman  
Gary Layman  
Arfaraz Khambatta  
Kaylan Dunlap  
Dara Schur  
Bob Raymer  
Soojin Hur  
Carol Loeffler  
Jihee Lee  
Gene Lozano  
Hannah Barker  
Vidal Medina  
Debbie Wong  
Lewis Springer

*Some participants were not as close to the microphone as others. Participants in the regional offices were particularly difficult to hear over the videoconference. Participants speaking over one another made transcription difficult and is indicated with [Speakers off mic].*

## PRESENTATION

Ida [Starts abruptly]. They kept it all available for us. Our goal today is to really establish an understanding where you all are on the various provisions before we go to our Code Advisory Committee meeting at the Building Standards Commission. Those dates have been in as July 24<sup>th</sup> and 25<sup>th</sup> for the Access Code Advisory Committee meeting. It is at 400 R Street here in Sacramento at the California Victims Compensation Board boardroom.

If any of you want to attend in person, they will have audio, obviously, teleconference available, and I believe video. Is the video live there, or is it recorded and then just uploaded to YouTube. Do you know?

Derek The video is recording only.

Ida Okay. So, the video will be recorded and then uploaded subsequently to YouTube through the BSC YouTube channel or DGS YouTube channel, I think. One of them.

Derek You can get them all from the Building Standards Commission website.

Ida Exactly. You can get that information from them, but in person, if you want to attend, it's at 400 R Street, and via teleconference.

So, today, we're trying to get an understanding of where the ACC is on the various provisions. We are not taking them in numerical order. If you're in the code, we're actually taking them in what we anticipate hopefully to be least discussion to perhaps most discussion so that we can capture your opinions just based on the feedback that we've gotten so far in our collaborative sessions.

Obviously, today it's not for extensive dialog for many of the issues that's really understanding a provision except for those that will require a lot, or some dialog I should say, which I know are the housing proposals that people still have some input on, the adult changing facilities, and one or two other provisions. So, just to be mindful of our schedule, our goal today is to see at least the position at the ACC on each item prior to proceeding forward.

Also, by the end of today, we would like to schedule our next two meetings, so keep that mind. One will be in August after the CAC meeting, and one will be in December after the approval meeting. Both of those are not necessarily going to be very specific to the regulations.

Obviously, the CAC meeting in August if there's anything that arises from the CAC meeting that we need to discuss collaboratively as a group, that will be on the agenda, but we do need to think about those who have identified that they might cycle off the ACC so that we can put out a bulletin to have new members, so Greg will address that later today as to the process of that.

Then, of course, in December, it's to look back on the year and see, do a little bit of reflection, a little bit of feedback, our regulations discussed if they were approved or not or which were and which weren't. Just debrief and then start with a new group, or many of the same group, but potentially new members in the group in January for a new code cycle and how we're going to proceed going forward.

So, that's kind of the purpose of the next two meetings that we're going to put on this schedule. If this works well today, those meetings won't be a conference because likely they're not going to be collaborative meetings. Again, the meetings where we're really hashing out a lot of the code change proposals we prefer in person, so starting in January, that will again, our initial meetings that come after that will be in person, so we're trying all the formats to see how they work based on the work that needs to be handled.

Jessica.

[Speaker off mic].

Ida Thank you. So, I don't know what you're seeing on your screens in the Oakland and LA office. Here we are seeing me on both screens, which is a little disturbing, but—

[Speaker off mic].

Ida Exactly, it's just a little disturbing, so we're going to get that corrected. Please let us know if you're having any technical difficulties. We do have individuals standing by in each of the offices to assist you. The goal here is that if you speaking, the camera should track to you so that everyone will see you in your full glory instead of a miniature version, and if we are discussing collaboratively, the eye should track as a group.

So, again, I do have to step out for a minute for a 10:00 meeting for about half an hour and then I'll be back, but, I'm leaving you in the trusted hands of Derek, Sue, and Debbie, and Greg, of course.

So, welcome again. Let us know how you're all doing and if this works for you.

[Speaker off mic].

Ida What?

[Speakers off mic].

Ida No, let's do that at break.

Greg Do you want to make a verbal confirmation? So, if they are seeing—like Jihee and Arfaraz and Ernest are in Oakland. Can you all speak to us so that—?

Ida Oh wait, we'll need to recheck so we can see them. I thought that this was just the check. We'll need to restart that.

Greg So, what does that mean? We take a five-minute break?

Ida Yes, it's just a matter of disconnecting the call and calling them up again. It won't even take five minutes.

Greg Okay, so bear with us. We're going to reboot this system so everybody can see everybody. There's Oakland. Where's LA?

Susan There we go.

Greg Okay. Good job

Susan Ida walks the floor.

Greg Can you all hear us in each location? In Oakland, can you hear us? No.

Susan Well, they might be on mute, so they might have to unmute.

Greg Yes, see if you're on mute in Oakland.

[Speaker off mic].

Derek Oakland, we want to make sure that we can hear you also, so please unmute the control, and verbally respond.

Greg What does that sign say?

Derek Can't read the sign. I'm sorry.

Greg Let's walk up close and read it.

[Speaker off mic].

W We're on mute, right?

Derek We are on mute it says.

Greg Can you unmute? We can't get—how about Los Angeles. Can you hear us? We can't hear you either.

Derek We're on mute locally. I think that's the red—

[Speakers off mic].

Greg We're not hearing either one of them. We're on mute.

[Speakers off mic].

Greg You still can't hear us. Correct, we're working on it. Thank you. They've unmuted, and we still can't hear them.

Derek I believe that our speaker is on mute as indicated by the red icon.

Greg You guys can hear us, correct? Okay. Thank you. We know. So, they can hear us. We can't hear them. We're not muted. Unless this little thing here means that—

Susan The IT guys will come and check it for us.

Greg Bear with us for a couple more minutes. The IT person is coming. We're going to reboot.

Jessica Can you guys hear us now?

M We can hear you.

Derek We can hear you. Great.

Greg Well, thankfully, we don't have to repeat everything that's already been said because at least you could hear us, so we appreciate that.

Arfaraz Could we request something though before we start?

Greg Yes.

Arfaraz The DSA drop box is empty. There's no files there. So, could I request Jessica just drop the files in there for us?

Jessica Did you not get the email that was sent out?

Arfaraz Did I not get the email?

Jessica We sent an email with all the documents for today.

Arfaraz Yes, I did get the email? Would you mind just putting them in the drop box?

Jessica No problem. It will be a few minutes, but I'll put it in there.

Arfaraz Thank you, Jessica.

Jessica You're welcome.

Greg Okay, so we will proceed. I'll trust that you all are able to hear everything that was said by Ida. Since the last meeting, it's a little bit difficult. Obviously, if one of you wants to speak, just please hold up your hand since you don't have your card,

and we'll try to get everybody in and work this meeting as efficiently and smoothly as we can.

So, just before we start diving into the code change proposals, just a quick note that we did send around the meeting summary that I prepared the last time from the last meeting. Just so everybody knows, I received basically just one comment, and it was really on a topic slightly unrelated to what we've been discussing, but that will be discussed a little bit later when it comes to that topic that had to do with curbs and some material in Braille. So, we'll come to that later in the day.

Dara noted a point that we had agreed on at the last meeting that's captured in that meeting summary that didn't work its way into the code changes, and I know DSA is prepared to address that when we get to that as well. So, I just wanted to give everybody that backdrop before we move forward.

Just to reinforce what Ida was saying, the goal today is really to see where the ACC stands on these issues. I think on many of these issues, it's pretty clear, but DSA wants to confirm that, and then we'll try to get to as many of those before lunch or as soon after lunch as possible so that the latter part of the day, we can deal with some of the issues related to housing and other issues which require a little bit more conversation.

So, that's the goal, and so who is leading off? Take it away.

Derek

Okay, good. The purpose of this meeting is going to be to have I guess final discussions prior to—well, final discussions on the items. We've introduced all of these items previously. There are no new items that we're proposing or introducing today to the group. So, I'll go ahead and suggest that we skip any sort of introductory of what the purpose of the item is.

If anybody has any questions about the basic purpose, great, but I think with that, we can go ahead and start off with the first item. That's the definition of riser and look at that up on the screen just as soon as we can. That's okay, Jessica. I can stall for a little bit.

Greg

If you can refer us to the page number in the code, that'd be great.

Derek

The first item that's on the agenda today is going to be the definition of riser, and this is on page 5 of 70 in your meeting document. We don't have any changes to this since the last time we met. I believe we don't have any changes on this since the last time we met.

The definition that's suggested right now, if adopted it would read: riser, the upright part between two adjacent stair treads, between a stair tread and an upper landing, between a stair tread and a lower landing, or between an upper landing and a lower landing. With that, I'd certainly welcome discussion on this item.

Greg

Any reactions?

[Speaker off mic].

Gary Gary Layman with CALBO. We did have a comment on this, and I did bring it up at the last meeting as well that when you have a step down along your accessible route that is not included in this, so it's difficult for us in inspection and enforcement to be able to explain to people that that is still a riser.

Derek Now, this one, I believe—please go ahead.

Greg I was just going to say, is that this point that was captured in the summary about a change in elevation on the circulation path of four to seven inches? You were suggesting maybe that might go in. So, that's the specific point.

Derek We believe that a single step condition like you described of any height is included in this. Where you have a single step condition, you essentially have a lower landing, you have a riser, and then you have an upper landing. So, that's addressed in the last phrase there, which reads or between an upper landing and a lower landing. So, we did review that suggestion, and we think it's captured with that portion of the definition.

Gary Alright. Thank you for reviewing.

Greg Okay. Anything else? Gary, you're fine with that?

Gary Yes, we're fine with that.

Greg Okay. Very good. It sounds like everybody's in agreement with this.

Derek Do you want to get the sense—

Greg I think everybody's—let's just put it out there. After each one, we'll just see how's everybody doing. If you have opposition like Gary just did, a question, show that. Otherwise, I'll assume that everybody's in concurrence on that. Okay.

Derek The next item on our agenda is for section 11B-248. That occurs on page 37 of 70 in your meeting materials. Here this was re-introducing and making explicit the scoping requirements for common use areas and employee work areas. This section, if adopted—

Dara I'm not finding it. Where is it?

Derek Page 37.

Dara Oh, 37. Okay, thank you.

Derek Got it? Okay, good. I'll go ahead. So, that new section 11B-248.1 general. Common use areas and employee work areas shall comply with this chapter. Any discussion or comments on this?

Greg Does that look good to everyone? Okay, if no questions—

Arfaraz Derek, this is Arfaraz in Oakland. I had addressed comments about this item at the last meeting.

Derek We made no additional changes to this item. Do you want to remind us of the comments from the last meeting, Arfaraz, since they seem to be on your mind?

Arfaraz Yes, I thought it was captured in the minutes of the last meeting, so [audio disruption], but I'm happy to do so. I believe that these areas are already covered in the scoping section of the California Building Code, and they are in 206.2.8, 205.2, and 205.3, and I was wondering would this be repetition of what's already in there or perhaps if [audio disruption] existing sections can be [audio disruption] to the scoping chapter.

Derek Okay, and just to note because I'm going to look at each of those sections in sequence, you said 11B-206.—

Arfaraz So, 206.2.8.

Derek Okay, 206.2.8.

Arfaraz And, [audio disruption].

Derek Yes, the section in 11B-206.2.8 is specific scoping for the acceptable routes within employee work areas, so that's what you might call a second tier scoping, but in 248, we're looking for the upper—in this new proposal—we're looking for the upper tier to make it explicit that employee work areas and common use areas need to comply with this chapter. So, that would be an example of one of the provisions that needs to be complied with.

We agree that it's our belief that these areas are already scoped at the highest level in Chapter 11B, and that's in section 11B-201.1, however, as we stated before in our comments, our rationale for this is that there's widespread confusion about whether these areas are required to comply with 11B or not. So, we just want to make it explicit. We realize that it's somewhat duplicative, but it's really not any more duplicative than any of the other explicit scoping sections.

Arfaraz Thank you, Derek.

Derek Okay, did you want me to address the other two sections?

Arfaraz No.

Derek Alright, great. Thanks.

Greg So, the ACC is fine with moving forward with the language as noted. Thank you.



- Derek                    Alright. So, the next item is regarding Section 11B-812.8.7, and that is on page 69 of your meeting document, and here what we're doing is we're making a very discreet change in the second to last sentence of this section to instead of what currently requires sign locators with an accessible route to be 80 inches minimum above the finished floor or ground service. We saw that that was in error, and it needs to be corrected to a circulation route. As you'll recall, the reason being that we need to provide protection up to 80 inches in circulation routes which are general and not necessarily limited to accessible routes.
- Greg                    Any comments on this provision? Any concerns on this provision?
- Kaylan                 Greg, this is Kaylan. I'm going to keep my comments brief today. I think that should be circulation path instead of circulation route.
- Greg                    Okay, a rationale for that.
- Kaylan                 A circulation path is defined and circulation route isn't.
- Greg                    Okay, great.
- Kaylan                 And, to avoid confusion where some code users confuse accessible route and circulation path.
- Greg                    So, you would replace route with path, correct?
- Kaylan                 Correct.
- Greg                    Any concerns about that from other members?
- Gary                    I can agree with what she's commenting, Gary Layman.
- Greg                    Okay.
- Gary                    It sounds good.
- Greg                    Does everybody—go ahead, I'm sorry.
- Gary                    I agree with Kaylan. I support that.
- Greg                    Okay, so the ACC then is supporting this provision from Kaylan. No concerns. Okay. Thank you. I think we're ready to move on. Any other comments on this. Okay. Thank you.
- Susan                 The next item is 11B-608.5, and this is Susan Moe. That is on page 61 of 70 of your document. What we're looking at there is amending 608.5 and removing the sentence that says controls and faucets shall be of the single-lever design. Think about what we found is there are other types of controls that you could use like a push button that would meet the requirements for operable parts, so this will make

this section consistent with the standards, with the model code, and we're just realizing that we don't want to limit those controls to only a single-lever design.

Greg

Comments.

Arfaraz

That can be a problem, especially in situations where [Indiscernible] equipment is required. You typically see a push button there, and that's okay. I think it's okay to have a push button. It's the ability to stay on or turn off that is not addressing a push button control. An able-bodied person can get away from scalding hot water, as an example, if the water is hot, but someone with a disability who is in a shower seat there's no ability for the person to either move out of the shower spray or turn it off. So, that's my main concern with push button. I wonder if we can write some language about the ability of turning off [Indiscernible] push button.

Derek

Sue, did you want to discuss that, or would you like me to comment on it?

Susan

Sure.

Derek

The issue of scalding is certainly an age-old concern. The codes, however, have progressed to the point where any showers that are provided in the facilities regulated by Chapter 11-B are going to be provided with anti-scalding temperature limits, temperature regulation, so while it might be quite warm, I don't think there's going to be any chance of scalding as long as all of the equipment is working properly.

The duration of the on period in a push button example is certainly an issue that we've talked about both here in the committee as well as staff discussions in the office. At this point, we don't really have anything that we can point to as support for any particular duration of time, and so absent that, we're reluctant to introduce any duration for the on period in a push button situation.

Arfaraz

Even the ability to turn it off is not duration, so right now, it seems like you have the ability to push the button and turn on the spray, but you don't have that ability to depress it and turn it off.

Derek

Arfaraz, are there any products out there that allow that sort of operation? We're not aware of any.

Arfaraz

Neither am I.

Dara

Arfaraz, is that why you're suggesting you want to stay with the single-lever device? I'm not understanding?

Arfaraz

So, with the single-lever device, the shower has the ability to turn off [Indiscernible] control it whereas with a push button device, from what I've seen out in the field, there isn't a device where you can actually turn off the water once it's turned on.

- Sue I just did a little bit of minor research and only looked at one website, and I think prior to making that assumption, we'd have to look at more controls for showers, and what I've seen is that some of the manufacturers are really starting to address the issue of these shower controls, and they're including everything just in one control. So, I think by leaving the single-lever design in there, we're really limiting that to what other possibilities are out there for the method to control a shower.
- Derek Even without an explicit duration for the on period included in the code, sort of the nature of the push button control is that they do turn off on their own after a designated period of time. So, overuse of water is probably going to be limited by that quality of the products that are available today. I don't know what those limited time periods are though.
- Greg Arfaraz, it sounds like you're asking for something like controls—I mean, you could keep the same language if you added a phrase or some other mechanism which allows you to turn off the water. That's what you're going for ultimately, right?
- Arfaraz Right, to turn on and off—
- Greg So, if you did that, if there were other mechanisms that allow you to turn it on and off, and they become available, then you could use it, but in the meantime, you're advocating for a single-lever to prevent the scalding. Is that accurate?
- Arfaraz Well, I feel that this language [Indiscernible] a language that says the control has the ability to both turn on and turn off.
- Greg If the concern is scalding, and that is kind of taken off the table because of newer technology, then what's your thought on that?
- Arfaraz I think, to be honest, it's just a basic on/off—they'd be able to operate the shower spray.
- Dara How about being metered? If I understand you correctly, Arfaraz, this is Dara, you're concerned for most of us who can turn the shower on and off, a lot of us can turn showers on and off if we need to. Some people say well [Indiscernible] and then rinse off and turn it off again. Or, you're just not ready for a lot of water pouring down, and you're wanting to give people who have disabilities the ability to control the shower in the same way. Is that what I'm hearing?
- Arfaraz That's right.
- Dara But, if they're stuck in the shower, it's difficult to get out of the shower with water coming down when they would prefer to have it turned off. I'm understanding your concern.
- Arfaraz Right. I want people with disabilities to have the same amount of control as anyone else would. [Audio disruption] a system which allows you to turn on the spray but not turn it off. You simply step out of the way of the spray, whereas a

person with a disability who's on the seat doesn't have that option. They have to just wait it out.

Derek Okay—

Susan There was a question about the metering.

Greg I think we have the concern, and you would leave the single-lever design in there if there was a phrase added or some mechanism that allows you to turn the water off and on.

Arfaraz I'm not married to or tied to the single-lever design as long as whatever the design is [Indiscernible] as stated. What I'm asking the committee or DSA to consider is the additional language that says the operating handle is both turning on and turning off is added.

Greg Right. Got it. Yes, I can't see who's holding a hand up.

Soojin Soojin.

Greg Sorry, you're out of the picture right now. That's why—go ahead.

[Speakers off mic].

Soojin I just wanted to ask Arfaraz about the on and off button that required on there [Indiscernible] that's not good enough. We're not proposing to change that [Indiscernible]. Then, there's a separate requirement for shower heads to have non-positive shutoff.

Derek That's right.

Susan Correct, and we're not proposing any changes to that section.

[Speakers off mic].

Arfaraz Shower spray needs to have an on/off control with a non-positive shutoff.

Soojin If you [Indiscernible] press the button again, handheld.

[Speakers off mic].

Arfaraz What about in situations where you have two shower heads that are on the wall.

[Speakers off mic].

Arfaraz Well, that's what [Indiscernible] is that when you're not taking a shower, but [Indiscernible] then you're stuck with two fixed heads on the wall, and typically when a push button is provided, there is no non-positive shutoff at that point. That's only on the heads of the shower.

- Soojin [Indiscernible] button with a timer. [Indiscernible].
- Arfaraz Exactly. Any operable part that meets 309 would be okay.
- [Speakers off mic].
- Greg I think we have that concept. I think we have that. Thank you. Sue, did you have another comment on that?
- Susan Well, yes, and understand that the provision where you have two fixed shower heads and you don't have a handheld shower head and those controls, that's only allowed in certain limited applications where there is a concern with vandalism.
- In other words, there are certain specific provisions where in rather than doing a handheld shower that you do two fixed shower heads, but those are only allowed in limited application where there is concern with vandalism where somebody could take that hose and that handheld shower and rip it out of the wall. So, it's only very limited applications where you can use the true fixed shower head without the handheld shower control.
- Greg Any other comments on this? There's been a suggested proposal to modify this language slightly to make sure there's just a way to turn the water on and off.
- Derek I have one more comment on this. DSA would be extremely reluctant to add any language that required the installation of a product that was not known to be available. Perhaps 20 years ago DSA might have tried to push industry into developing new products to respond to building code provisions that didn't have products available, we just simply don't do that at this point in time.
- Arfaraz So, you're saying there are no products available that can turn the shower on and off?
- Greg Dara, and then Bob.
- Dara Bob can go first.
- Bob Bob Raymer. There is at least one product out there that may be a problem for DSA in this instance. You don't want to draft the building standards and basically give a leg up to one product to the detriment of all the manufacturers. That's going to create the manufacturers coming to DSA saying what are you doing here. You're recognizing this—the manufacturer that I'm thinking of, I can't recall the name.
- We have a huge product show every year at the end of June in San Francisco, and this was done for green building purposes. As you're probably aware, the Green Building Standards have a limitation on the flow rate of water per minute for basically all the indoor appliances, and of course, we've always had the scalding step, but for the longest time, you didn't have products that not only limited the

amount of water coming out at any given time, but also limited the amount of water that could come out of the device over a period of time.

This company has a product that effectively has a flow meter, and it measures the amount of water that would come out of the shower over a period of time for green building purposes. I only know of one product. I don't know of anybody else working on this.

Dara I don't think that's what we're asking for, something that would automatically shut off, though. We're asking for the ability for the user to turn it on and off, and we're not mandating a product because the first choice could be a normal levered design. That's an option that's available to everybody. We want to expand the options when we're just saying other options have to provide the same features as a single-lever design does, which is the ability to turn it off.

So, I don't understand what's being requested to drive a single product because there's millions of single-lever designs. So, this gives you an alternative to use another so long as they also provided that same feature.

Bob The way you're describing it sounds good. I thought we were basically looking at taking this in a different direction where you'd be required to have a product that does this. The way that you just described it with alternatives, that's fine.

Dara I understood that to be what Arfaraz was saying.

Derek Those are very valid points about the equal ability to turn on and turn off compared to a levered operation, but think for a minute about the faucet set at a lavatory. There are and have been explicitly allowed in the code for decades now the ability to use an automatic, a button, at lavatories for hand washing. It usually has a timer built in; it turns off by itself. We see that as being very, very similar to what we're talking about now, and yet that's been allowed for many decades for hand washing purposes.

Dara I hear the difference. What I'm hearing from Arfaraz is the difference is if you're washing your hands, you just move your hands if you don't want to be in the water. If you're using the shower, for someone with a disability, you can't easily and quickly move out of the way of the water, so you need to have some ability to have some control to shut it off if, for some reason, you don't want to be in the water. You're slipping off the seat, or whatever it is. You want the ability to turn off the water, and I just think it's a really different situation.

I agree with you. They're great those ones that turn on for a certain period of time when they work right, but I think, Bob, I think Arfaraz is raising a different setting completely, which raises a completely different concern if you don't give that alternative.

Greg Gary and then Carol.

- Carol The concern that I have that would be your situation is that if I'm sitting, and I have water coming on me, and I'm done with my shower, I grab my towel, and bring my towel in the shower stall with me. If I continue to have water, I will now have a sopping, wet towel. So, the ability to turn off the water when I'm in the shower is important because I don't get out of the shower until I'm dry. Do you see what I'm saying?
- Greg So, you're advocating for this change.
- Carol I am advocating for this change.
- Greg Okay, Gary.
- Gary Gary Layman with CALBO. I totally understand where, Arfaraz, you're coming from and the disability are coming from, however, there's more than one code, as Bob has mentioned, and there's going to be a time control that any push button control is going to be put in. The same as a faucet, so it's going to be more frustrating to those because the time of the operation is not going to be there. At the same time, CALBO will be supporting DSA in the additional context of the code. [Indiscernible] to enforce that. It makes it difficult.
- Greg So, you support as it stands.
- Gary As it stands.
- Greg Okay.
- Susan I think what we need to do consider as well, we're operating under the assumption that once you push the button it's going to stay on for a period of time and that you don't have the option of pushing the button again to turn the water off.
- So, I think if we're operating under that assumption, and we're thinking that those are the only products that are out there to control the water in the shower, I think at least from our perspective it would require additional research before we were to look at anything that talked about the on and off control because without doing further research on these types of push button controls, we might be operating under a false assumption that you can't turn off the water again by pushing that button.
- Greg Okay, well I think we've heard everyone's—oh, go ahead, Carol.
- Carol Yes, the concern that I had, too, if you have it timed and you cannot turn it on and off, my analogy would be if when I walk into a room and the light turns on, and it's on a timer, I have the ability to turn that light off if I want to. So, it still goes back to the request, whether it's timed or not, the ability to turn it off and on.
- Greg So, I think at this stage, we've kind of covered the need and the reason why you would have the on/off, but there's also other points of view that say it's either covered elsewhere, or it would create enforcement issues. It looks like without

surely spending a lot more time on this, we probably don't have consensus on how this would move forward, but I think you certainly made the point clear. As Carol is saying or Sue is saying, maybe you do more research and see if there are other mechanisms out there that can work.

Jihee Hello?

Greg Yes.

Dara [Indiscernible].

Greg Go ahead, and then we'll have Gene next.

Jihee This is Jihee. I support what Arfaraz is saying. What we propose here today is we take out the single-lever phrase that you're proposing to take out. That's still fine as long as we add language saying you're able to shut it off, to have the freedom to shut it off. [Audio disruption] single lever, or they just come up with a push button whatever to be able to shut it off. So, I don't see where it's really limiting anyone and we still allow freedom.

Then, also what somebody talked about two shower heads or replace them for potential for vandalism, but I think people with mobility limitations, depending on what the nature is, some may [Indiscernible] hand held shower. If one hand is limited, you cannot hold the shower head and wash yourself and [Indiscernible]. So, I think it's going to be too [Indiscernible].

Greg So, it sounds like there's a large portion—Gene, you're next, and then I'll kind of summarize where we are.

Gene Gene Lozano. I'm in agreement with what was just said about having adding some phrase of freedom to shut off. If DSA decides it's still not workable, then I'd like to ask for a commitment that for the next code cycle that this be looked at and something be brought up during the next code cycle to address this issue.

Greg Okay.

Derek This is Derek. Certainly DSA will be happy to look at this and to explore the issue further. We recognize these are very real concerns, and I think they're very practical. I think DSA can even go a little bit further than that, and as we are gathering additional information, we have other avenues to get this message out.

While not necessarily within the code, we could look at our advisory manual and include and stress the importance of being able to have the higher level of control with the ability to shut the shower flow off. We can certainly look at developing some language in our advisory manual if that would help to get us to consensus today.

Greg Dara. Thank you, Derek.



Dara I had a procedural question. It sounds like we don't have consensus on this.

Greg Well, I'm going to test that again in just a second to see if maybe people can live with the language that Jihee put out.

Dara Okay. What happens if we don't have consensus? Are we going to take a vote for or against?

Greg Well, we didn't really set up a completely defined decision rule on how to do this. I think we talked about we would point out the majority prefers this, and here's a minority point of view suggests that. So, if it looks like ten of you want to see this change, and three people don't, then we'll just kind of note majority/minority.

Dara Okay. So, the language that I understand is being requested would be to leave the current sentence in that DSA's proposing to strike, which says control device should be a single-lever design. After that sentence, or a design that provides ability for the user to turn the water on and off. That's what I'm understanding the proposal to be. Instead of deleting the sentence to say the controls and faucets shall be the single-lever design or offer the user the ability to turn the water on and off. That's what I'm hearing. If you test the consensus, I want to make sure that's what the decision is about.

Greg That's what I was hearing, and the Jihee I think suggested just putting in a phrase that says the ability, whatever mechanism it is, to turn the water on and off.

Jihee Well, on is already available, so we're just adding off.

Greg Right.

Jihee [Indiscernible].

Greg Specifically, yes. So, I guess there's two approaches to that. One, you can leave the current phrase in there and add the other phrase, or you just simply replace the current phrase with having the ability to turn off the water.

Carol I would still say on.

Greg Yes, on and off. We did clarify this, but yes, the ability to turn it on and off. So, it could be a single-lever. It could be a push button. It could be any other technology that's developed between now and whenever.

So, who cannot live with this language of it just having any device that turns it on and off? Gary, are you okay with that?

[Speakers off mic].

Gary There's no need to add extra text into it. It's a control, and this is just control what it needs because I'm familiar with other codes that are going to come into play.

- Greg So, you think other codes satisfy the concerns raised about being able to turn off the water.
- Gary Well, operating—
- Bob I don't think he's saying your satisfied that other codes take care of it. It's going to potentially conflict with what's in plumbing code or the green code. That's a possibility here that it can conflict.
- Greg So, how many people though would like to see DSA just go back to the drawing board a little bit on this and look at some kind of language that would allow for a mechanism to turn the water on and off? Let's just see how support that?
- Dara As opposed to proceeding—
- Greg As opposed to proceeding with the change as proposed. So, three out four, four out of four in Oakland. Hannah?
- Hannah You know, I have to agree with what you just said about it's just too much text. I would agree, Arfaraz I agree with your point that was made, but I believe that push button is technically a control.
- Greg Okay. So, in the room here, everybody—
- Dara People are—
- Gene I want to hear the actual language. I'm really confused right now.
- Carol Because Arfaraz when he said it, it actually was text.
- [Speakers off mic].
- Derek What I think it happening is the opposite. What we're now asking the question of is whether entirely different language would be advocated by the ACC as opposed to what we have here or what we have here with modifications or what we have here with potentially advisory language in a separate document. If we go to all new language, we won't go forward with this portion of the item because it will not have that time for public review.
- Keep in mind that in addition to the ACC, we have had public meetings where each of these items has been proposed, it's been available for comment to the manufacturers of the latest products, and so it really would not be something that DSA could move forward.
- Greg So, you're thinking that the best alternative to address this would be an advisory manual at this point in time.
- Derek I think there's probably two solutions at this point in time. One is to simply leave the language in the code as it is with the single-lever and leave that as a

requirement. It's been there; it could remain. The other is to strike that language and to address it in the advisory manual.

Greg Okay, so I think realistically we're coming down to those two choices. Either leave the single-lever in there and not make the change currently proposed in front of you, or leave this deletion of single-lever as it is, as it's currently proposed, and add something in the advisory manual which points to this concern about the ability to turn the water off.

Dara So, should we vote on the options?

Greg So, let's just get some sense of the room on whether you'd prefer to just proceed with leaving the language as it currently reads, which includes the single-lever design, or to proceed with deleting that, but then including in the advisory manual the ability to turn the water off.

Dara Just so I understand, if we vote not to change it now, that result is they could go back and explore other options in the next cycle or not, but they would have the option to do what we're asking for in a more thorough way in the next cycle, if we vote to leave it as it is right now.

Greg Yes.

Dara Okay.

Greg Again, this is just advisory. DSA is hearing you. They're going to go back and consider this, and they have the ultimate authority to do what they think is best, so I just want to make it clear that this vote really is just to show kind of a sense of the room and nothing else. Carol. Last comment, and then we're going to see where people are.

Carol The way I originally heard it presented as an option is that controls and faucets shall be with the ability to turn—shall have the ability to turn off and on.

Greg No, the change being proposed by DSA is simply to strike controls and faucets shall be of a single-lever design. So, that can include push buttons or whatever else that are possibilities. So, all we're doing right now is asking whether you all would just rather keep the language as it is or to adopt this proposed change of deleting the single-lever design and adding in the advisory manual the sense of being able to turn the water off.

So, just—go ahead.

Dara See if people want the first option.

Greg So, let's just have quick show of hands. Again, this is just an informal checking how everybody is feeling about this. Would you rather leave the current language as it is, or would you rather change it and include the note in the advisory manual?

So, who wants to just leave it as it is, keeping the single-lever design in there?  
Okay, so about half.

Susan Are we getting the people on the phone?

Greg Sorry. Thank you. Kaylan and Vidal, would you be raising your hands to this?

Vidal Yes. I raised my hand.

Greg Then, how many would like to—

Susan How about Kaylan?

Greg Kaylan.

Kaylan Thank you, Sue. I would go with the latter. I like the proposed change with the advisory manual note.

Greg Okay. So, you would weigh in on the side of deleting the single-lever design and putting that in—how many people—?

Kaylan Right.

Greg That's helpful. So, about 50/50. That gives DSA some good feedback, so we'll move on. Okay. Thank you. I know it's a little bit arduous, but it's good to be clear. Who's going to be discussing 11B-502.5?

Dara I think Gene—

Greg Oh, I'm sorry.

Gene I didn't want to interrupt with a question on this, but under the item location, there's a phrase, and I don't have the full text, but it says shall be located on the control wall 15 inches maximum from the center line from the seat. Okay, now, just reading the text, I found it unclear on exactly which direction the center point was, the bottom of the seat, and so forth. Of course, you rely on the figures.

I had to ask two different individuals to try to describe it to me the figures. They don't have any regulatory background at all, [Indiscernible], and they were saying the figure for the section that says transfer style, didn't even show a seat in the figure, so I don't know where the seat would be. It didn't show the side walls. In other words, these two non-regulatory people felt it was rather sketchy, and they felt the figures should be in more detail to try to explain to them what the text is saying about location.

Greg Okay. So, you'd like to see maybe a different angle or something that helps make it clear.

- Gene More inclusive that actually would show there's a seat if the text says there's seats in it, so show the seat and show exactly controls where they are rather than just giving measurement and where the shower head is. It just seemed to be needing more detail so it could be clarified. I know that this is designed for people that enforce regulations, people that use the regulations, but making [indiscernible] go in there and understand this and check into it, and they may also find it difficult.
- Greg Okay. Thank you. So, basically, the recommendation is that DSA look at expanding or adding a different view or making it a clear diagram.
- Gene Yeas, all the figures for the different styles.
- Susan Greg, can I add onto that?
- Greg Yes, please.
- Susan I think when you take a look at what we're proposing for the transfer type showers, and this is Susan Moe, you have to take a look in that particular section that we were looking at, like Gene said, that's specific to the controls. But, if you take a look at some of the other sections like 608.2.1 and 608.3.1, you will see that are other figures that are included for the transfer type shower that do indicate the location of the seat and also the controls involved. So, like I said, you have to look at this—
- Gene Could they fold it into one?
- Susan Well—go ahead.
- Derek Well, in addition to that, and this is another item that we're proposing amendments to, and that's in the existing Section 11B-608.4. In that section, the existing language right now refers us over. It says seats shall comply with Section 11B-610. Now, in 11B-610, and this is already part of the current building code, we find the dimensional requirements for the shower seats, and so the information is there. It's presented in a structured manner in the same way that the 2010 ADA Standards for Accessible Design presents the same materials.
- Gene Okay, I wanted to let you know about that.
- Greg Thank you. Dara.
- Dara I appreciate that you're to look at multiple sections to figure out what's going on. I don't completely understand, to be frank, exactly what we're talking about. What I was trying to understand is then this section gives a user who is sitting on the seat the ability to easily reach the control without falling off the seat. Like, when I read that the controls have to be on the wall opposite the seat, that gives me some concern if someone has to reach forward, and I'm just trying to understand the practical implications on what this does.

[Speaker off mic].

- Susan I think the person who, if she doesn't mind, who could really add some clarity to this and this type of shower, would be Kaylan Dunlap. Kaylan, if you don't mind, can you speak to Dara's concern about this transfer type shower and reaching to the controls?
- Dara The controls that are an issue in the section that we're talking about.
- Kaylan I'm sorry. The sound quality is not good enough for me to have heard that whole conversation or whole statement.
- Susan Okay. Kaylan, Dara had a concern, and her concern was for someone using this type of transfer shower, when they're on the seat, and they have to reach out to where the controls are, does that actually work for someone in a 36 by 36-inch transfer shower, or does that cause you concern because you have to reach a little bit too far, and you might have to move forward on the seat to reach those controls? So, Dara's concern is, is that a problem when you use a 36 by 36 transfer type shower.
- Kaylan If it were any bigger, it would be a concern for a lot of users. I think for somebody that's able to transfer into a 36 by 36 shower, the size of it keeps those within reach.
- Greg Thank you, Kaylan. Gene.
- Gene I would ask in some of these chapters are developed, that somebody that maybe hasn't been involved in the development, just read the text without the figures and see how clear it is. Like, I still don't see why these figures in this section, why it can't at least show—maybe it's duplicate to see where the control is. If it was made clear—I have to go to one place and another place. Those of you who use the regulations and don't mind looking around. Not everyone is operating that way.
- Jihee Is this the center line?
- Greg Sorry.
- Jihee This is Jihee. It says from the center line of the seat for the shower opening.
- Greg Yes, Gene's talking about just having the figure that doesn't require you having to go to another section of the code.
- Gene [Indiscernible] explains where the center line is on that seat.
- Greg I think your point is well taken, so I think DSA has heard that. Right? I mean, you're suggesting even if it's redundant, put a little clear diagram in here so a lay person doesn't have to hunt to another part of the code.
- Gene Or, at least since you refer to seat in it and control, then at least show those in the picture as a reference.

Greg Okay. Thank you. Let's move onto the next topic, 11B-502.5.

Dara Is there consensus on the second part of this?

Greg The second part—

Arfaraz Are we going to take a break now?

Greg Before we do that, Dara just asked me if there is any other thoughts on the second part of this. You're referring to the transfer type shower compartment.

Dara Yes, the second part, 608.5.1. We've determined whether we have consensus on 608.5, but we have decided whether we have a consensus on 608.55.1.

Greg All that's been brought up here is to add clarity to the diagram, in summary. So, how do you all feel about that? Adding clarity to this diagram just to make it clear to someone who's not familiar with the code. Does anybody have any problem with that? Okay. Thank you.

Yes, let's take a ten-minute break until 11:00, then we'll come back and jump in on [audio disruption]. Thank you.

[Break].

Greg Well, if we had at least one person in the room in Oakland, we would get started, but they're all gone.

Carol Which one's Oakland?

Greg To the right.

Carol Oh, okay. You're not by yourself are you?

Greg Hannah.

Hannah Yes.

Greg Hannah's holding down the fort.

Carol I thought I saw people in there earlier.

Hannah It was the girl from DSA that was helping me set up everything.

Carol Oh, okay. Well, hi there.

Jessica Hannah, this is Jessica. I'm sending a message with the documents now, so she'll get them to you.

Hannah Okay. I emailed them again to her but Thank you.

Jessica Yes, she said she's having an issue, so I'm sending them over. She'll be able to print them for you.

Hanna Okay. Thanks.

Greg Okay, we're going to get started. The one thing I'd like to ask everything to do is, particularly in their remote locations, is to try to speak into the microphones a little clearer. It's harder to hear, particularly for Kaylan and Vidal on the phone, so if you can do that, that would be great.

Yes, Gene.

Gene I'm sorry to ask this. Could I hear who all's here? I don't know who is in the room and on the local—

Greg Absolutely. So, Hannah is in LA.

Hannah Hi, Gene.

Greg Then, Arfaraz and Soojin and Jihee and Ernest are in Oakland.

Gene Okay.

Greg In the room we have the rest of the committee except for Stoyan. We have Carol and Louis and Bob and Dara and Gary. On the phone we have Kaylan and Vidal.

Kaylan That's very helpful for us that are remote. Thank you very much.

Greg Sorry we didn't do that earlier.

M How's Alabama?

Vidal This is Vidal. I am back, and I will speak a little bit louder if that helps.

Greg We're actually asking the people in the remote locations to speak up so you all can hear better on the phone. So, we'll proceed with the next item, 11B-502.5. Derek or Sue, who's doing that?

Derek I'll go ahead and take this. Okay, so the item for Section 11B-502.5 is on page 49 of 68 in your meeting document. This was the item about providing a new exception for vertical clearance height within existing multistory parking facilities. Actually, let me double check that page number.

Dara I think it's 51.

Derek My apologies, 61?



Greg 51.

Derek Okay.

Greg It this basically the same that they saw last time, or has there been a refinement?

Derek There has been some refinement here. Previously, we had language in the second sentence that talked about existing vertical clearance in excess of 80 inches and less than 98 inches shall be maintained to stay consistent with Section 11B-108.

We've removed that reference to 11B-108. It's a reference that is really not appropriately applied. Maintenance of accessible features in 11B-108 is intended to require the building owner to maintain those accessible features that are within their facility. It's not intended to limit designs or alterations that may occur downstream.

Greg Let me interrupt you to say, Oakland are you with us?

Soojin Yes.

Greg Okay, good. It looked like you weren't necessarily, so I just wanted to make sure you're hearing this. Okay, go ahead. Sorry, Derek.

Derek So, anyhow, we've removed the reference to section 11B-108, but the essence of this exception is still the same as the last time we discussed it.

Greg Okay, any comments about this section? Dara. As you speak, please, for those on the phone, in particular, but also in our remote locations, identify whose speaking. Thank you.

Dara This is Dara. I'm still not understanding the need for this exception. My understanding is the building is built. It's built to comply with the codes that are in place at the time of the build

[Speaker off mic].

Dara Then—

Greg In Oakland, you might mute.

Arfaraz Sorry.

Greg Go ahead.

Dara So, they can't reduce. [Indiscernible]. You have to keep your building in compliance with the code that's been built or comply with new code, which has changed. So, I don't understand what this add and what we mean by existing. We mean an existing building that was built in compliance with the code at the time it

was built, then why do we need an exception? They never have to come into compliance with later codes unless they do a modification.

So, it just seems to me we're building in a future exception, and we don't need to because I don't know of any code that says if you built a building in 1975, you have to bring it into compliance with later code unless you do some kind of modification. If they do modifications, they have to be complying with access codes, so I'm really not understanding A, what does it mean to say existing buildings and why this necessary and why does the fact that existing buildings have to comply with code that's been built, and if it's being changed, it has to comply with new code.

Derek

There are a number of circumstances where this becomes important. Now, given an existing multistory parking structure that may have been built in 1975, as you mentioned, that would have been prior to any of the accessibility requirements being incorporated into the building code. So, if that multistory parking facility was provided or is located on a site and there was a plan for a new building to be provided right next to that parking facility with entrances from the existing parking facility to the new building adjacent, then what other parts of the current code tell us is that the accessible parking that serves that new building needs to be located on an accessible route and dispersed to provide parking serving various entrances to that new building.

So, in that case, let's say we have a new shopping facility right next door, a store, and it's multistory, and you want to be able to provide an entrance from one of the upper levels of the existing parking to one of the upper levels of the new building, then there might very well be a desire to provide or a need, excuse me a code requirement, to provide accessible parking at one of the upper levels.

Now, almost all of the existing parking structures that were constructed prior to the access requirements and those existing parking structures that were constructed after the access requirements, but with no designed accessible parking on an upper level, they would encounter a situation where providing accessible parking on one of those upper levels to serve a new shopping building would not be allowed in the current code. So, those kind of situations are the ones that would be addressed here.

Dara

Is the word existing defined somewhere in the code?

Derek

Yes, it is.

Dara

Do we know what the definition is?

Derek

I can recite it for you if you'd like.

[Speaker off mic].

Greg

While Derek is looking that up, any other comments in this section, or is everyone fine with it as it reads?

M All good.

Arfaraz I have a question about—this came up at the last meeting. I felt that the current code had adequate language that addresses the conditions in existing facilities where it is technically feasible to provide this 98-inch clearance. There is additional language in the technical requirements that's not required because [Indiscernible] which addresses the scoping requirements for parking adequately addresses this.

Also, there's the both DoJ advisory and DSA advisory that allow for, and let me go ahead and read the DSA advisory where it allows for the parking space provided elsewhere if additional convenience for access is achieved. I'm looking at the DoJ advisory 11B-208.3.1. Factors that could affect user convenience include, but are not limited to protection from the weather security, lighting, and comparative maintenance for alternative parking sites.

It doesn't specifically talk to the height limitation for van parking, but perhaps DSA could include this in its advisory in the scoping requirements rather than introducing new technical requirements in 502.

Greg If I hear you, you don't necessarily oppose this. You just want to raise your point.

Arfaraz No, I am opposing it. I'm sorry if that wasn't clear. I support Dara's comment there. If we automatically push [Indiscernible] we don't need to really provide the clearance for vans because we're an existing facility rather than seeking out a more accessible location for the van accessible space if one is available.

Of course, if one is not available, then you already have a technical infeasibility provision in the code. Then, you document that and put it onto your drawings and achieve the same rules.

[Speaker off mic].

Greg I'm sorry. Say again.

Jihee This is [Indiscernible].

Greg The new language. While you guys are looking at that, Derek has, I think, the language on the definition of existing.

Derek Yes. The definition of existing building or facility says a facility in existence on any given date without regard to whether the facility—

Arfaraz My bad.

Greg Okay, you're withdrawing your objection then.

Arfaraz I am withdrawing my objection.

Derek Okay, I'll start again. The definition for existing building or facility. A facility in existence on any given date without regard to whether the facility may also be considered newly constructed or altered under this code.

Greg Great. Thank you.

Dara [Audio disruption]. I'm sorry. What versus the section for that?

Derek The definition is in Chapter 2, Section 202.

Dara Okay.

Susan All the definitions are now in Chapter 2, 202. For any definitions, that's where you want to look.

Dara This is Dara. So, if I'm reading this exception correctly, you can have a building built last year when this requirement was in place and was out of compliance, and this exception would allow it to stand.

Derek No. Not at all. That's a concept I think that was introduced at our public meeting recently, but it's entirely inaccurate. A building that was built last year, a multistory parking facility that may have been built last year may not have required vertical clearance on any of the upper levels because accessible parking was not designed at that time period.

Now, let's say for this example that today, current day, the building owner decides they want to build that new Macy's right next door to it and serve one of the upper entrances from this existing parking facility. In that case, if they have existing vertical clearance which is less than 98 inches, then this exception would allow them to locate car accessible parking on the upper levels and serve the upper entrance to the new shopping building next door, but van parking would still need to be provided with the 98 inches of vertical clearance and of course any other additional parking that was constructed with the new shopping building would also need to comply.

Greg Okay. So, any concerns with proceeding as is? Thank you very much. Then, let's—Kaylan and Vidal, are you fine with this as is?

Kaylan Yes, sir.

Vidal Yes.

Greg Okay. Thank you. Let's move on to 11B-247.11.

Derek Give me just a moment.

Greg No problem.

Dara Greg.

Greg Yes, Eugene.

Gene [Audio disruption] the exception about detectable warnings at correctional facilities, could you read the exception because JAWS [ph] is not taking these out. The March packet and this one, it shows the number but no text at all. I'm not saying it's not there, it's just JAWS is not picking it up. I know idea what the exception is.

Derek I'm happy to address it. This item was included on the agenda apparently in error. This is an item that we are not proceeding with because we heard enough concern here at the ACC and in our public meeting, so we're not proposing this to go forward. Maybe that's why it's included here to be able to relay that information.

Gene Okay. Thank you.

Dara You said detectable warnings in detention facilities.

Derek Yes, that's right.

Dara You're withdrawing that.

Derek We're not going forward with it.

Dara Okay.

Greg Everybody clear on that, on the phone and in the remote locations.

Carol What page is that?

Greg Well 11B-247.11 is not—DSA is not moving forward with that, so it's being deleted.

[Speakers off mic].

Greg It's not in the packet.

Debbie It should be 11B-404.2.9. That's page 45. So, the next two code proposals and these come from CDCR is related to doors. The first one is on page 45, 11B-404.2.9. So, the suggested text for the proposed amendment would add an exception to the 5-pound door operating force. It would add exception number five. Detention-grade doors and gates in detention and correctional facilities, the minimum opening force allowable by the appropriate administrative authority is not to exceed 15 pounds. Comments?

Greg Any concerns with this? Dara, then Gene.

- Dara I think the assumption that there's a guard to help you want one in a prison is always around and there with you is just not true, and I think there are emergencies, and I don't see any reason why facilities and jails and prisons shouldn't be accessible. We actually have litigation and other investigations going on in a number of correctional facilities because of their failure to comply with providing access and accessible facilities to people who are incarcerated. There's actually quite a bit of litigation statewide around it.
- I'm just concerned that exceptions to accessibility make a lot of assumptions about what goes on in jails and prisons that aren't warranted in reality because I hear from our staff who've been in those facilities on a regular basis.
- This is not my area of expertise, but I just want to express some concern about reducing accessibility because from what I'm hearing it's a huge issue, and I'm not reading anything in hear that leads me to believe—you know, there are a great number of people in correctional facilities who use wheelchairs or who have other disabilities that need accessible features.
- Debbie Thank you, Dara. Let me also say that these exceptions would be specific to correctional facilities and would apply to doors within the secured perimeter and not any of the general public areas.
- Dara I'm talking about within the secured—
- Debbie Right, but that's why thanked you for the comment, and said let me add this because that was important to note as well.
- Dara Yes.
- Greg Gene. Thank you.
- Gene It's just been said that also dealing with staff that are therapists or instructors that are going into the area to work with the inmates who may not be in perfect physical condition and need the access. I mean this fire door is standard, and 15 pounds for some people can be a real challenge to push. I talked to a few individuals that have worked in prisons as civilians, as therapists, and instructors within the secured area within these [Indiscernible].
- Greg Okay, thank you. Any other concerns about this provision? Oakland.
- Arfaraz We just wondered if it would be possible to perhaps define detention-grade.
- Debbie You mean literally in the code for this—
- Arfaraz Yes. When introducing a new term in the code, and to the point that Gene made and Dara made, too, there are doors within the secured areas where staff or inmates may use those doors, but those doors aren't necessarily detention-grade, so perhaps with if there's a definition for detention-grade that will remove the ambiguity around this proposal.

Debbie Okay. We'll explore that. Thank you.

Greg It currently doesn't exist, but it can be added.

Derek We would have to explore that. We're not certain that we would be able to get that information in time to be included in this code cycle, but we certainly can look at that.

Greg Any other concerns? Kaylan, Vidal, Hannah, anybody else have a concern about this?

Kaylan No, sir.

Vidal No.

Hannah No.

Greg Okay, the concern expressed, is it about the weight of the door? Is that nature of the concern?

Gene The force needed.

Dara The force needed to open it. Prisoners are allowed to use doors.

Greg Right.

Dara To have a force that's ten pounds more than would normally be allowed, it creates a barrier for staff and prisoners.

Greg So, as written, that concern as you object to this.

Dara Correct.

Greg Carol.

Carol I need to have a clarification on the word minimum whether—because it doesn't match with the remainder of the sentence. The minimum opening force not to exceed 15 pounds. Shouldn't that be the maximum opening force? So, you could have anything less than 15.

Lewis That's saying it'd have to be 15 pounds at least to open.

Dara The other ones talk about 5 pounds maximum. This one says 15 pounds minimum, which means it could be much higher.

Derek The difference in the language is this. The goal is to, of course, have the minimum opening force that's allowed by the building official.

- Carol I just want to clarify what that means. So, what that mean is that it takes 15 pounds to—
- Derek No, can I please finish? Please don't cut me off in the middle of an explanation. I'd like that courtesy, please.
- Carol Okay.
- Derek Okay, so the goal is to have the minimum opening force that's allowed by the building official. Now, the rest of the sentence says in no case can it be more than 15 pounds. So, if the building official or the appropriate administrative authority says that they can comply with it with 8 pounds or with 10 pounds perhaps, then that would be the minimum opening force allowed by the building official.
- Then, that would be the appropriate limit for the opening force in detention and correctional facilities with these detention-grade doors. But, a building official would not, in any case, under this exception be allowed to approve a force to open the door greater than 15 pounds.
- Carol Okay, so my original question I still want to ask. When you mean open force, you're meaning from the closed position, the amount of force I have to use must be 15 pounds.
- Derek In no case, more than 15 pounds. Yes, that's right, and the way that's measured is that you disengage the latch, first of all, and then you just push on a pushing door, or you pull on a pulling door, and that's the force we're talking about. There are other forces that have to do with the latch and the hardware, but this is very specific to just the force needed to push open the door.
- Carol Okay, so then I still don't understand. If that is the force that I need must be at least 15 pounds, but it can't exceed 15 pounds.
- Greg It doesn't have to be 15 pounds. They're saying that the maximum—
- Carol No, the maximum opening force allowable.
- Derek The minimum opening force allowable by the appropriate administrative authority. You have to read all that together.
- Dara This is Dara. If I'm understanding it, this says prison official has to pick the least amount of force that's consistent, but it can't exceed 15 pounds.
- Derek Well, it would be the administrative authority that has the responsibility to enforce the code at prisons. It's not the warden who gets to pick the force.
- Carol Okay, so then let me rephrase.
- Derek Okay, please. I'd love to work with you on this.



- Carol Thank you. So, the minimum opening force allowable by the administrative authority, you're saying could be 8 pounds. That's allowed, and it's whatever they want it to be. So, it could be 1 pound, 2 pounds, 3 pounds if that's what they wanted it to be, but it can't be more than 15 pounds.
- Greg Gary, do you have some technical knowledge of this?
- Gary I do. Just to kind of help you understand. I am a fire marshal as well as a building official. So, in that essence, sometimes fires, you're not supposed to force the door opening, and that's why the minimum force because sometimes fires will, the heat will prevent the operation of a door.
- Carol Because the heat's on the other side.
- Gary Yes. That's why our codes are stated it's going to depend, so it's going to depend on the size and the volume, and the height of the door that's there. So, if I have a fire marshal say we don't necessarily need a 15-pound force on this, then I can allow a 10-pound force as the authority having jurisdiction. However, I can't require more than 15-pound force, and the measurement of the door is when it's open, latched, [indiscernible], and ajar, and just like this. That's where you start measuring your operable force, and that's indicated by the Department of Justice.
- Carol Then, the meaning of the detention-grade.
- Gary Well, the detention would be the same as that of a fire door, so it would the authority to have the jurisdiction to determine what the minimum force could be of that door for safety purposes.
- Carol Okay, thank you.
- Greg Okay, thanks. Anything else on this? Yes.
- Dara This is a Dara. I didn't have a chance to check this. I'm sorry, but does this exception exist in the 2010 Standards?
- Derek No. This is at the request of the California Department of Corrections.
- Dara Right, but it reduces access and contradicts the 2010 Standards, which are required by federal law.
- Derek DSA does not believe that it falls below the minimum requirements of the ADA Standards.
- Dara Except in Exceptions in the current ADA.
- Debbie It does. It's 404.1, exception 1 is similar. Dara, it's 404.1, exception 1. It's similar. This is more specific to detention-grade doors.
- [Speaker off mic].

Kaylan Greg, this is Kaylan. May I make a comment?

Greg Yes, please do, Kaylan. Thank you.

Kaylan The ADA Standards don't regulate the force requirements for fire doors.

Greg They don't regulate—okay, for fire doors.

[Speaker off mic].

Greg DSA is confirming right now. Hold on a second.

Dara Thank you, Kaylan. This is Dara.

Susan This is Susan Moe. If you want to hear exactly what it says in the Standards, it's 404.2.9, it says fire doors shall have a minimum opening force allowable by the appropriate administrative authority. Then it goes on to say the force for pushing or pulling open a door or gate other than fire doors shall be as follows. Then it has interior hinge doors and gates, 5 pounds, sliding or folding doors, 5 pounds.

However, like Debbie said, if you go to 404.1, there is a provision in there. There's an exception. Doors, doorways, and gates designed to be operated only by security personnel shall not be required to comply, and then it has all the various sections of 404.

Derek Including 404.2.9.

Susan Yes, including 404.2.9, which is the opening doors.

Greg Okay. Any other concerns about this? It sounds like a couple people have concerns about the weight of this. Has that disappeared by this discussion, so you're fine with this, Carol? Anybody else have concerns about this the way it reads? Dara.

Dara I still have concerns.

Greg Okay. So, it sounds like most people support it, but a couple concerns about the weight.

Arfaraz I have a question. So, exception 2 under 404.1 says that detention and correctional facility door, doorways, and gates designed to be operated only by security personnel shall not be required to comply with section 11B-404.2.7, 2.8, 2.9, 3.2, and 3.4 through 3.7. So, it seems like there's already an exception in the current code for detention and correctional facilities and door operation [Indiscernible] when the doors are operated by a security personnel. By adding this in the scoping section, are we achieving something more? Is it already required in the scoping section as well?

- Greg Did you hear that question? Is it required in the scoping section as well?
- Arfaraz I'm sorry, not the scoping section, but it's in the technical section, but is it required in 404.2.9 additional exception because 404.2.9 is listed here?
- Derek The distinction there is operated only by security personnel.
- Arfaraz Right. Aren't these the doors we want the exception to within the secure perimeter.
- Derek The only doors that we have listed in this item are the detention-grade doors. There is no mention of operation by security personnel.
- Dara No, but you also have required fire doors.
- Carol That's right.
- Derek That's an existing—we're not proposing to add or delete that language. It's only provided for context.
- Arfaraz So, my question is if it's already addressed in 404.1 under exception 2, why should you add another exception in 404.2.9?
- Derek To cover the case where the detention-grade doors are—because detention-grade doors are more durable, more solid, and typically much heavier. They're often plated in thick steel for security purposes. They do tend to weigh more and are typically more difficult to operate and to open the doors. So, that's the issue that we're trying to address here.
- Soojin So, you're broadening the exception to allow doors that are operated not by security personnel, but by other people.
- Derek Yes, this exception would do that.
- Debbie Similar to the way the required egress doors are given the 15-pound allowance, they are proposing that because these doors are generally made of 12, 14-gauge, some of them go up to 300 pounds in weight. Due to the nature of the size and weight of the doors, they have proposed that code amendment.
- Greg Okay, I think we've heard concerns. It sounds like most people support moving forward with this. A couple people have concerns about the weight, so I say we move on. So, 11B-405.9.2—
- Arfaraz Excuse me. I'm not sure that I say I support this, so I just want to be clear that at least, I for one, am not supportive of this.
- Greg Okay, let's step back the now that we've had the full conversation. Who has issues with this the way it is being proposed? We have a couple people in the room. Kaylan or Vidal, do you have any concerns?

Vidal No.

Kaylan No, sir.

Greg No, okay. Anybody in Oakland and LA? Arfaraz. So, three folks have concerns. Okay, thank you for that.

Debbie The next one is closely related. You can find it on page 47. It's also been submitted by CDCR, and it's related to doors with vision lights. They are requesting an amendment that would include an exception under 11B-404.2.11 vision lights which will read in detention and correctional facilities, vision lights designed to be used only by security personnel.

So, what this means is that the current requirement for vision lights is that the bottom of glazed panels be located 43 inches. Their request or suggestion is that it will be higher than that maximum requirement.

Soojin If I read this correctly—this is Soojin. It's [Indiscernible].

Debbie Right. So, if you look under comments, CDCR says correctional facilities are subject to a federal mandate called PREA. It's the Prison Rape Elimination Act of 2003, and then 2012 is when provisions were added.

This particular provision, which basically provides a level of privacy for inmates which reads to perform bodily functions and change clothing without non-medical staff viewing such functions except when viewing an incidental to routine check. Vision lights designed to be used by secure personnel will enable compliance with this requirement.

Greg Thank you. Dara.

Dara My first question, is there a similar 2010 Standard exception?

Debbie No.

Greg Okay. Anything else?

Arfaraz I just want to add, first of all, I just want to say I don't take exception to this, but I do want to bring to the attention of the group and DSA that DoJ does have an advisory under 404.1, the general exception says security personnel must have sole control of doors that are eligible for the exception at 404.1. It would not be acceptable for security personnel to operate the doors for people with disabilities while allowing others to have independent access.

This is a DoJ advisory, so just want to take that into account as what's put out there by the Department of Justice.

Debbie Is this related to the panel?

Dara No, this goes back to the earlier—

Arfaraz This is 404.1.

Dara Arfaraz, this is Dara. Are you saying that would apply to the doors, but does it also apply to the panels?

Arfaraz So, the reason I'm not taking exception to this particular one, Dara, is because it specifically says used by security personnel, and the presumption here is that it's used by solely by security personnel, and therefore it meets the criteria set forth by the Department of Justice that I just read.

Dara Wouldn't that also apply to doors?

Arfaraz It would, and this is 404.2.11 is under the general section on doors and the requirements for doors. With the last one, it didn't say doors used solely by security personnel. It just said detention-grade doors, which was broad and all-encompassing, and that was my objection to the last one.

Dara So, this is 404.1 of the ADA Standards?

Arfaraz Yes, it's the advisory under 404.1

Dara Thank you.

Greg Okay, so any concerns with the way this reads? Anybody else in the group besides Dara has an issue? Kaylan or Vidal?

Vidal No.

Greg Thank you. Then, are we onto 11B-405.9.2?

Derek This is on page 49 of your meeting packet. Here remember we're proposing to strike the language that's currently in the code which says two inches high minimum. This was language that existed in the 2010 California Building Code Chapter 11B, and DSA incorporated this phrase into an amendment, the ADA Standards language, which comprises the [audio disruption] of the requirements of this section.

Now, the ADA Standards requirements remember we were talking about the four-inch sphere as a measurement technique that's identified in the ADA Standards, and the federal standards they tell us that a four-inch sphere cannot pass, or a curb or barrier needs to be provided so that a four-inch sphere cannot pass closer than four inches to the surface to the ground or ground surface, in this case, the ramp surface.

So, the ADA Standards require the four-inch sphere not to pass within four inches of the ground surface. Now, that means you could provide a four-inch curb, and that would keep that four-inch sphere from getting closer than four inches to the

ground surface. You could also provide a two-inch curb if you desire, and then provide an additional rail or some other element a couple of inches higher than that two-inch curb and also comply with the ADA requirement on this and exclude a sphere from passing within four inches of the ground surface.

It was this combination of language from the old California Building Code Chapter 11B requirement incorporated into the ADA Standards language which we received some reports that it's a bit confusing and could lead to non-compliant construction or design if the designer is focused too much on just the language of two-inch minimum height of the curb. So, that's the background on this.

Greg Great. Yes, Gene.

Gene Clarification. This is requiring a four-inch curb minimum?

Derek No.

Gene Okay, so—I'm sorry, Derek. Go ahead.

Derek The requirements in the code right now tell us that if you're going to—I'm going to paraphrase for you providing explanations—that a curb or barrier is required, and the curb or barrier has to prevent a four-inch sphere from being within four inches of the ramp's surface. It also has the language, and this is the language we're proposing to strike, that says that that curb has to be two inches minimum in height.

Now, there are a variety of ways to design compliance with the ADA Standards. You could provide a four-inch high curb if you choose. You could provide some other sort of barrier. Quite often we'll see steel plate rails that are applied to the inside of the vertical pickets along a ramp that would also satisfy the requirement of not allowing a four-inch sphere to pass within four inches of the ground surface.

Gene I understand that the curb is an option, but I personally talking to a lot of cane users, not all, but cane users that use the white cane, and whether you do a touch slide or the touch technique, if you don't have a curb, and you're following the edge there, the guidance there, your cane can get caught in the pickets. The thing is that solid curb provides something for the cane to hit against, and therefore, [audio disruption]. So, I would have a problem not having a curb as a mandatory requirement. It can be a curb, or whether it's a solid piece of metal, but something solid that's raised from the edge before the pickets begin.

Derek There is another existing sentence in that same paragraph, Gene, that says to prevent wheel entrapment, and I think it probably addresses the condition you just described also, but the language says to prevent wheel entrapment, the curb or barrier shall provide a continuous and uninterrupted barrier along the length of the ramp. So, I think that addresses the condition that you described, too, although it's not expressed in the code that it's specific to that condition.

Greg Dara, and then Lewis, and then Gary.

- Dara I'm not sure that would because you could add something that was a couple inches off the ground that was a continuous strip that would stop the wheels from going out, but still doesn't allow a cane user to slide their cane along the edge. They're not going to be able to tell where that rail is. They're not going to be able to tell where the edge is.
- What you're asking for, Gene, is something that's at floor level that's raised enough so a cane user—this language protects wheelchair users. What I'm hearing from Gene is if you strike the language that's there, you're going to create a hazard for cane users. That's what I'm hearing.
- Derek Striking the language would not enhance or prevent the provision of a rail, a barrier as we call it in this section, along the length of the pickets that would be elevated a small amount above the surface of the ramp. That's correct, Dara.
- Dara You need something at least at floor level.
- Gene Flush with the—no gap.
- Dara No gap.
- Derek I understand your point. I'm just saying that currently in the code without amendments, you're not necessarily always going to get that barrier all the way down to be flush with the surface with no gap.
- Dara I see what you're saying.
- Gene [Audio disruption] I thought that's what a curb meant.
- Derek Well, a curb would provide that, yes, but it's the or barrier portion which would allow a designer to use, for example, a metal plate that went along the inside of the pickets, and while you may not strike the metal plate with the tip of your white cane, there might be a gap let's say of one inch or two inches, so the one inch or two inches above the tip of your cane would strike that surface.
- Gene Yes, but the cane tip is probably no more than a half inch in diameter. Most metal tips, or the narrower nylon tips that look more like a spear than anything else, and if you're doing the slide because there are people especially older people that are learning, and they want continuous contact with the pavement, not tap, raise, swing. They keep sliding across pavement, and it can get caught there.
- So, that's [audio disruption] trying to prevent some kind of gap [audio disruption] a solid surface that's attached to the pavement, whatever it is, metal, concrete, it makes no difference.
- Greg So, what I understand is that the existing conditions do not require that the change is—just to clarify the existing code, it's really not changing the existing code, as I understand it. Is that accurate?

- Derek It would have no change in the existing code that would address that concern that Gene is raising.
- Greg Lewis and Gary want to say—yes, go ahead.
- Lewis My understanding has always been I could either have a two-inch high curb or a rail that would prevent a sphere going underneath that. Are we now saying that it has to have a four-inch high curb because I see a lot of handrails mounted on the top edge of a ramp that only have a two-inch barrier because it's not a full guardrail and is only a handrail, and therefore there's no requirement there then for the four-inch sphere for a guardrail.
- Derek That's precisely the confusion that exists out there, and the reason why we're proposing to delete the language about the two-inch barrier. Now, if a two-inch high curb was provided in a condition where it was not a guard so that two-inch high curb could exist on its own under that understanding, that would not satisfy the rest of the requirements in that section in the California Building Code, nor would it satisfy any ADA Standards section that addresses the same issue because literally you cannot have, or you're prohibited from having a design where a four-inch round sphere is able to pass anywhere within four inches of the ramp's surface.
- So, even if the bottom of this four-inch sphere was excluded by a two-inch high curb, you could see still that a portion of that sphere would be passing two inches to four inches above the ramp's surface, and that's a non-compliant condition with the building code and the ADA Standards.
- It's an old condition, and in prior codes I believe that was an acceptable condition then so today's it's an existing condition, but new design, it's not going to pass.
- Greg Gary.
- Soojin This is Soojin.
- Greg Go ahead.
- Soojin [Indiscernible] so two-inch curb will not completely stop the wheel, and the wheel can actually go over it. [Indiscernible].
- Derek I'm not aware of any reasoning expressed by the Access Board or any of the developers of the federal standards on why particularly the four-inch sphere measurement or metric is used in the code, but it is quite similar to other building code provisions. For example, in guards, which tell us that the pickets in a guard need to be spaced so that a four-inch sphere can't go through the pickets.
- I suspect that what you describe is actually the reason behind it because the four-inch sphere indicates that the curb is very similar in size to the front wheels on a wheelchair, which is the intent of this section to prevent the front wheels of the



wheelchair from getting hung up or coming into contact with the vertical pickets or any other barrier there.

Jihee This is Jihee. So, I do have a problem with what is proposed, but then hearing from Gene, just [audio disruption] section that addresses cane users, so even after this proposed change to [audio disruption] address the cane detection issue for [audio disruption] basically for cane users, we don't want any gap in that four-inch height on the edge of the ramp. Is that correct?

Gene Yes.

[Speakers off mic].

Greg The way it stands now, I think we're looking for if there's no opposition to the change that's made here, which is just a clarification to the existing code, the issue of the cane user is a separate issue that's not currently addressed either in the existing or in the proposed, so that would have to be something that either the next cycle or—

Derek DSA would have to take a look at that separately.

Greg Yes, so given that, does anybody oppose this current language for what it's defined to do this go-around? Any opposition to this?

Carol Can I repeat what you're saying then? What you're saying then is should we keep the current code language?

Greg No. I'm saying is there any opposition to the proposed change here. The concern that's been raised about the cane is not addressed either in the existing current code or the proposed, so that would have to be dealt with in the next cycle or at some future point, but we're just looking for opposition to this change as proposed. It sounds like there's no opposition to this but recognition that yes, the cane issue—yes, Gary. I'm sorry. Go ahead. Then, Kaylan and Vidal, I want to weigh in with you quickly, too.

Gary Gary Layman with CALBO. At our last meeting I did make comment about a concern of the picket coming down similar to what Gene has indicated, but after listening to Derek's response and comments to it, and then reading shall provide a continuous and uninterrupted barrier along the length of the ramp, that kind of concurs that it has to be a solid, smooth surface. So, we're happy with how it's written.

Greg Okay. Thank you. Kaylan or Vidal, any other comments?

Vidal This is Vidal. When we're looking the agreement, we're agreeing to a proposed amendment, correct, the one that was just read?

Greg Yes.

Vidal Okay, that there'd be a continuous barrier, uninterrupted.

Greg Yes.

Vidal Alright. I agree.

Greg Okay. Kaylan.

Kaylan I would just second what Gary said. I'm good.

Greg Thank you, all, very much.

Dara I'd like to just clarify everybody agrees with the proposed amendment is a [audio disruption] cane users in the next cycle.

Gary Well, that's implied in this.

Dara No, it doesn't address it.

Greg Let me just say there can be a future discussion about whether this is sufficient or not, and if it's not—

[Speakers off mic].

Greg Okay, what we want to try to do here before we break for lunch is get through all of the adult changing facilities and changes. So, let's move to those and see if we can get those done in the next 15 or 20 minutes, and then we'll break for lunch. Yes, Gene.

Gene Can I ask the need for [Indiscernible] to see if there's any discussion?

Greg Yes, we're going to go through each separately.

Gene Not lumping it all together.

Greg Correct. I just meant as a whole, but we're going to go through each one separately. Okay, so we're going to start with what, 11B-224.2?

Derek No, I think you just said we're going to look at the adult changing facilities.

Greg Yes, okay. That's a separate item. Sorry. Go ahead.

Derek So, adult changing facilities starts on page 39 of your meeting packet today. There was a minor change that was incorporated into the definition of commercial place of public amusement. The second sentence now starts out cultural complexes include but are not limited to, and previously it said examples of cultural complexes include but are not limited to. So, we made that minor change.

We have also changed in Section 11B-813.2.1 to be explicit that one adult changing table shall be fixed to the floor or wall and shall comply with Section 11B-813.2.1. That was in response to previous comments. Previously it said adult changing tables shall be fixed to the floor or wall and shall comply with section 11B-813.2.1.

I believe at the last ACC meeting there was concern about the height adjustability and how that mechanically was being addressed, and DSA went back and studied the issue additionally. Now, typically the height adjustability is addressed by electrical power, but it certainly could be addressed by hydraulic power or other mechanical means or electro-mechanical means. So, DSA has changed that second to last sentence in Section 11B-813.2.1.3, and that would read height adjustability shall be powered. We still have the requirements that operable parts shall comply with 11B-309.

We had another change here with regard to the shelf. I think at the last ACC meeting we had a group of requirements that were mandatory and a group of requirements that were optional. So, if provided would have been the optional requirements, but here what we've done is we've combined those.

We have one long list of features, and the requirements for the shelf were previously optional and now it's mandatory that no fewer than one shelf be provided in close proximity to the changing table at 40 inches minimum and 48 inches maximum above the finished floor. That's in Section 11B-813.2.6. I think that's the extent of the changes that occurred between the last ACC meeting and today.

Greg Okay, so let's go through these one at a time, as Gene asked. We'll go with through the four changes first, and then we'll see if there's anything else. So, any concerns about the first? Gene, what were you going to say, and then we'll come back to that approach.

Gene Before we leave 202, I do have something.

Greg Okay. So, let's go through these four proposed changes and see if people are fine with those. It sounds like DSA is trying to respond to the comments made, and then we'll go to anything that's not been addressed by these four.

So, first of all, the change under commercial place of amusement where a cultural complex has just replaced examples of. Any concerns about that?

Carol What page?

Greg We're on page 39. Any concerns about that change? Okay. Let's look at the next one, which was on the adult changing table now it says one adult changing table shall be fixed to the floor, which as you point was a response to the comments made at the March meeting.

Derek It was either at the ACC meeting or at the last public meeting. I don't recall which.

- Carol Public.
- Greg Public meeting. Okay. Any questions or concerns about that change? Okay, moving onto the height adjustability. There was a discussion last time about different mechanisms in which they could be adjusted, and now it states it shall be powered. Yes, Gene.
- Gene Okay. I don't have a problem with that, but I believe at our last meeting, we had a lengthy discussion that it must be self-operable so that if a person went in without somebody and needed to use that table that they could operate it independently. That we had a discussion about, and I thought we had a consensus that people thought that that would be okay.
- Greg Is that addressed by the next sentence, Derek, or not?
- Derek No. The adult changing facilities are incorporated into state law for people who need assistance with changing their clothes, and while it's a desirable feature to be self-operable, and I certainly recognize those comments that were received, we've declined to expand this item to incorporate this additional method of use.
- Carol I don't understand why. If I needed to have an adult changing facility lay down so I could change my clothes, why I could not do it independently?
- Derek Well, you most certainly could do it independently to the level of your ability. You're certainly welcome to do that. The controls on the changing table are available. They're available for an attendant's use quite easily. Most of the ones we've seen are either connected by a cable to the actual base of the unit itself, so they're very close. They're right there, and I think most people would be able to self-operate if they choose to do so.
- Carol So, then, Gene your concern?
- Gene I'm concerned that the assumption that anyone that uses that table has to be assisted by somebody, and I've heard of some people in mobility devices that do want to use the table and self-change because they don't have any other place to go at the facility where they need to change from one activity to another, and need to change their clothes, and these include some paraplegics. I can see if it's elevated up there, it could be out of their reach.
- Greg Okay.
- Carol Is there a provision of where they place the control? I don't know what page you're on right now.
- Greg We're on page 40. We've just turned from 39 to 40, and we're down at 2.1.3.
- Gene This just doesn't seem to be light years from the requirement for the hoists at swimming pools to be self-operable. The assumption is somebody is going to need somebody. Well, some people prefer operating themselves if they can do it.

- Greg Okay. Lewis, then Gary, you want to weigh in on this? Okay, Gary.
- Gary I believe that it kinds of handled operable parts shall comply with Section 11B-309 in that it should follow the back and forth it would required them to be within reach, range, or clear floor area, so that any person would be able to go and operate it. So, if it was up high, they could lower it down to the height where they need it at the 17 inches to transfer on, and then they use it. So, I believe that it would be covered.
- Greg Okay.
- Gene I withdraw my concern.
- Greg Okay. Thank you for that clarity. The next item was down related to the shelf. Now, as opposed to being optional, it's now that no fewer than one shelf shall be provided. So, now it's a mandatory thing which we responded to what we discussed last time.
- Dara Great. Thank you.
- Greg So, with those four, it sounds like everybody's in concurrence with those four changes, but now I want to open it up to is there anything here that there's still any concern about, and so, Gene, we'll turn it to you.
- Gene Yes, go back to 202, the definition about commercial [Indiscernible]. I'm just wondering about the use of the word maximum. Maximum occupancy is determined to be 2,500 or more. That sounds like it should be minimum rather than maximum.
- Derek This Derek. I can hopefully clarify that one. Maximum occupancy is and, Gary, please correct me if I go astray here, but maximum occupancy is a determination made typically by fire officials as to the maximum number of people who are allowed within a facility or a space. The language says maximum occupancy is determined to be 2,500 or more people. So, if the fire official makes a determination, for example, that 3,000 maximum occupancy is there, then that facility would also be covered by this definition.
- In effect, yes, it's like saying where the occupancy is determined to be 2,500 or more, but it's different within the language of the code from saying a minimum occupancy of 2,500 because minimum occupancy of 2,500 is not really a phrasing that you would use in the code, but it seems to imply that you have to have 2,500 or more people within these rooms, and that's just inconsistent I guess with the way the term—
- Gene Yes, it's inconsistent because if you say 2,500 or more, that is the upper, and 2,500 or more would indicate 2,400 people occupancy fits with the adult changing facility would not apply. So, therefore, I don't understand why using the word

maximum when it's really a minimum, if you have 2,500 or more upward, but it's not below.

Greg Okay. Thank you. Lewis, your comments.

Lewis Actually, I wanted to go back to the previous shelf issue.

Greg Hold that for a second. Let's finish this conversation. Gary.

Gary Just to help you understand and clarify as the fire marshal has indicated or the plan examiner, the occupant load is determined off of the number of people that are going to be in there off of the square footage or the design of the building that we say okay, this building can handle this many people based off of whether it's fixed seating, standing, or both.

Therefore, that's determined by the size of the building. So, with that being said—

[Speaker off mic].

Gary So, with that being said, that's where we come up with that maximum occupancy. If you have, 2,400 it wasn't required. At 2,500 because the larger building size—

Dara As I understand it, this applies only to larger buildings, so the place may accommodate 1,000, but if the maximum occupancy is 2,000 it wouldn't be covered. It only applies where the fire marshal has determined the maximum occupancy to be 2,500.

Gene I understand all that, but it just seems like why use the word maximum rather than minimum because you're talking about upwards of the occupancy.

Derek Gene, the phrase maximum occupancy is a key phrase. There's really nothing that we should do to change that phrase. Right here, within this room, we have a sign by the door coming into the room that says maximum occupancy 44. That doesn't mean you can't have only 40 people here, but maximum occupancy is what we would call a term of art.

Bob We understand what you're saying, Gene. After 37 years, it's been this way. Why do we call a toilet a water closet? Well, it has a water closet. There's a lot more going on, but I've just learned to live with it.

Dara Is your question why does this require a smaller facility?

Gene No, my thing is the use of the word—

Bob The terminology.

Gene The terminology. The occupancy is the word maximum to me is a cap. If it said max of 2,500 people okay, that's a cap, but that is implied from 1 to 2,500, but that's not the meaning. You have 2,500 or more then that's upwards, and the

meaning is to be 2,500 or above, not below. So, then why use the term maximum rather than saying the minimum.

Greg It sounds like a term of art that unfortunately is not going to get changed today because it's been it's—but, I think, as Bob was saying, it's understood your point for sure. Lewis, you want to go back to the shelf, and then maybe we'll be finished with our changing table discussion.

Gene Oh, no I have more after Lewis is finished.

Greg Okay.

Lewis The definition of a shelf, I can see these rooms having a four-inch wide shelf so that it doesn't become a protruding object. I don't think the intention is to provide a four-inch wide shelf. Do we need to expand that language to have a shelf that's usable because we're talking about putting backpacks and things like that on it, but there again, the code would allow me to put a four-inch wide shelf so it's not a protruding object.

Derek The size of the shelf required here was commented on previously, I think by ACC at one of the public meetings. DSA looked at the issue quite a bit, and we came to the determination at this point, working determination that no specific size would be necessary for the shelf. If people want to have a bag, a backpack, or something similar, a coat hook is provided, and that could be used for that purpose. So, that was our thoughts, a summary of our thoughts on the size.

Lewis Now, we're going to have four-inch wide shelves.

Derek Which would be very useful if you had a packet of wipes, if you had powder, if you had other items, it would very useful.

Ida [Speaker off mic].

Derek That's Ida Clair. She just came into the room, rejoined us.

Greg So, what I'd like to do now. I'm looking at the time. It's 12:20. I'd like to get maybe a sense, Gene, of how many other issues you'd like to address because we don't want to cut them short. Let's see if it's something we can do in like the next ten minutes and break for lunch at 12:30 or whether—so, give me a sense, if you would of what other issues you'd like to address.

Gene Okay. Defining close proximity. That was something we had a discussion about, and I thought some [indiscernible] close proximity. In the code book, it also has the wording about can be within one of the reach ranges, and it seemed like within one of the reach ranges should be in the shelf area, too. I know in the code shelf is defined at the height of 40 inches to 48 inches.

I know counter, which also the definition includes a shelf on the counter, we're looking at more than putting your duffle bag or laying out clothes, but there's also

some people that use that facility, if I'm not mistaken, is not exclusively just for people that are getting changed there, but there's people that go in some of these single-user, all-gender rooms and are looking for a surface to set up their diabetic equipment so they can test their blood or set up for injections, and that's a multipurpose idea with the shelf and seeing it more like a countertop and it be the lower level like sales and service that is 34 inches maximum so that it's more usable. I think the depth of the counter or shelf should be defined definitely like 12 inches or whatever it is so that you're not balancing something on a 4-inch little ledge basically.

Greg So, that goes back to link up to Lewis's question. So, the shelf, defining close proximity, the coat hook—

Gene The reach range for—

Greg The reach range for the coat hook.

Gene For the shelf, the height of the shelf and depth of it, the usability, and I think we had said as an option that it also would have the counter or shelf, and electric outlet so if somebody had a device or something they had to use, it would be close to them, and they could plug in. I think those were the concerns.

Greg Okay, great. Thank you. Yes, Dara.

Jihee This is Jihee.

Arfaraz People [Indiscernible].

Jihee My topic is about signage, and then I have one clarification question.

Greg Okay. Then, yes, who else?

Vidal This is Vidal.

Greg Vidal.

Vidal Yes, I had one concern. I'd like to get some clarification on capacity of the changing table regarding the weight.

Greg The weight that it will support?

Vidal Well, yes, I see that it's a minimum of 300 pounds, but is there going to be any kind of weight maximum amount listed somewhere on the table as to what is maximum allowed?

Greg Okay. So, we're just kind of getting a list of things here that we want to discuss. Dara, did you have something?

Dara I think it's covered by—



Greg Okay, great. So, what we might want to do is take a break, and this will—by knowing the list, maybe DSA can confer a little bit on some of these things that we can try to move those conversations quickly after lunch. You see we still have quite a few things that we want to get through. So, we're going to try to just keep this narrowed down, and again, some of this has already been through stakeholder meetings, our discussions, so we really just want make sure to focus in on, be clear about what your concerns are knowing that they may or may not be changed after today, but let's make sure we get them on the table.

I think it's more important—my view is it's more important to make sure we get through this entire list than to dwell too long on any one thing once DSA is aware of your concerns. So, I want to make sure that we parse our time out that way. What that probably means is raise the concern, let's get through all the points that are on this agenda, and then as we have time, we can come back and dig in a little deeper.

When we come back from lunch, we'll spend about 15 minutes on the changing table issue before we move on. Now, can people do with 45 minutes for lunch, or do you feel like you need an hour?

[Speaker off mic].

Arfaraz It's going to be a walk for us, so we're going to need an hour.

[Speaker off mic].

Greg There's a cafeteria in your building.

[Speaker off mic].

Greg Okay, then we'll plan to meet back here at 20 after 1:00 if you could. Thank you.

[Break].

Greg Okay, so let me just summarize where I hope we can go. The agenda in front of you of notes that we were trying to get through all this by 2:45 if possible, but on the outside we set aside a longer period of time, but at about 2:30 I'll check in with everybody to see where we are and how late people can go.

What I think is really important to do with the time we have though because even if we go longer than that, we're going to be challenged to get through everything, but I asked and suggested to Derek when we broke for lunch that if there's something that they feel like are pretty well set because of having already vetted this at public meetings and whatnot, or DSA has come to some conclusions, they've done some research, and they're pretty much settled on the direction they want to take that we just identify those and not have in-depth conversations about things that are just not going to find a way into this code cycle.

With that said, I think it's important to identify these issues and kind of raise up how might they be addressed in the future, and is it in the next code cycle or how. So, with that as our guide, we'll kind of move through these issues as we can. I think it's really important to get through, if we can, all of these remaining code proposed changes if nothing else to just get quick temperature of the room. Is it good, if not, why not, and just try to get through everything so at least DSA has your feedback to some degree on all of these.

So, if you're good with that, then I'd say let's just keep going here. Let's maybe start with some of the issues that were raised about the adult changing facility. Some of the things I heard trying to capture everything, I'm not sure I did it accurately, but what I heard is defining close proximity, reachable range for both coat hooks and shelves, an electric outlet near a changing station, the issue of weight, and do you list a maximum that can be supported by the lifting table, and signage.

Does that pretty much capture it? Did I miss anything? Yes, Gene.

Gene That outlet was near the shelf.

Greg Near the shelf. Okay.

Gene The other thing was looking at again using the countertop mentioned in 34 rather than the shelf dimensions and the depth of the shelf counter.

Greg Okay, depth of shelf and countertop measurement. So, with that, I don't know. Maybe you can kind of summarize would it be useful that maybe there's still some opportunities to incorporate some of that, or do you think it's pretty already solidified using all the research you've already done?

[Speakers off mic].

Greg Sure. How about defining close proximity?

Derek Close proximity is a term that's used in other parts of Chapter 11B and the code. To define close proximity specifically—well, to define close proximity, it would have to have much broader applications than just simply within the adult changing facility section. I think we might not be able to include this within this code cycle, but as the facilities start to get built still in compliance with the new regs once they're adopted, it certainly gives us a chance to get that kind of practical feedback.

Greg Let's just get Derek's response to all these, and then we can come back if we to talk about anything further. How about the reachable range—

Arfaraz Hey, Greg.

Greg Yes. Did you miss my preamble?

Arfaraz I got the tail end of it, but I just wanted to talk to what Derek said that the definition of close proximity. [Indiscernible] would be to say within reach range as defined in 11B-308.

Derek Well, reach range is defined in 11B-308 as vertical reach range. I think close proximity is more akin to a horizontal measurement.

[Speakers off mic].

Greg I'm sorry. Say that again, please.

Arfaraz So, 308 also covers reach over a horizontal obstruction.

Derek Yes.

Arfaraz Not just vertical heights.

Derek Well, no, the criteria of reaching over an obstruction impacts the required height of the element.

Arfaraz Yes, it does.

Gene We're talking about the shelf to the changing table. [Indiscernible] or how close is the table. That's the close proximity, that horizontal. Not over the counter or shelf.

Greg Okay, thanks for the clarity. How about the reach range than to the coat hook and the shelf?

Derek I'm going to take those one at a time. The reach range for the coat hook is to be compliant with Section 11B-308, so it's been addressed. The height of the shelf is within the reach range that is under 11B-308, but it's specific in this case to 40 inches minimum and 48 inches maximum above the floor. That's generally consistent with other elements that are wall-mounted within general spaces.

Greg Okay. Kaylan, the recorder told us that Kaylan and Vidal are both on the line. I just want to confirm that you are.

Kaylan Yes, sir. I'm here.

Greg Great. Thank you.

Susan and, Vidal?

Vidal Yes, I'm here.

M [Speaker off mic] counter height for a usable working surface to display things or set up things rather than a four-inch ledge.

- Derek The shelf is not limited to four inches. I want to just diffuse everybody of any notion that it's limited to four inches. The size of the shelf is not defined in this proposal. The shelf is provided not as a work surface, but it's provided to be a temporary storage surface. While you may be able to manipulate some items on the shelf height, it really is not consistent with the general and the legislative intent of requiring adult changing facilities.
- Greg Okay. How about the issue of the electrical outlet near the shelf.
- Derek I checked during lunch on the requirements for electrical outlets in commercial spaces, and it's different from what is required in residential spaces where there's a 10 or 12-foot limit on any wall over two feet in width, but commercial facilities don't have the same requirements. That would be under the code it's a design option by the electrical designers.
- Gene How about a TTY shelf that needs an electrical outlet?
- Derek TTY devices require electrical.
- Gene Some of us were discussing the shelf can be working surface as well as a storage area and multiuse of the facility is not limited to those that need to change.
- Derek We understand that there seems to be a desire to expand the intended use and the available use of the adult changing facility. DSA is not inclined to expand the use beyond that specifically for adult changing facilities at this time. Once this gets into place, let's see how it works out, and if this is appropriate for its intended use, great. If it has some deficiencies, DSA has a long history of making additional revisions to new sections in subsequent code cycles. So, that's always another options for us.
- Greg The issue of, I think Vidal raised, about the maximum weight for the changing table, is that correct, Vidal?
- Vidal Yes, that's correct.
- Greg So, it says they'll have a minimum weight capacity of 300 pounds, but not a maximum. Are you concerned that it might exceed what a changing table can withstand?
- Vidal Yes. There's a lot of conditions that cause obesity just from the nature of what they are as far as health conditions. Your inability to exercise and continuous—if you eat, and you don't exercise, well then, that's usually what happens, but typically right now 500 pounds is not unusual, especially with what we're seeing in healthcare as far as our consumers here in the valley.
- Greg So, you're suggesting that if a table could not support 500 pounds and only take 450, then it should say the maximum amount that it can support.

- Vidal Yes, because what you don't want is caretakers to assume that this thing is going to lift whoever they put on there. When I say caretakers, there's folks that do have two caretakers that assist them with changing and transferring onto a changing table.
- Greg Okay. Bob, do you have something on that?
- Bob Yes, Bob Raymer. Now that I understand your concern, that makes sense. I'm not quite sure how to address it, but in the manufacturer's specifications, there's always you have the minimum spec that this table will do this, but they almost always have references to what they can't do. I'm not quite sure how one would identify that in a public way whether there would be—maybe DSA could come up with a requirement that if it cannot hold over 500 pounds or whatever or 450, a sign should be noting that or whatever, but that's—
- Vidal There would have to be some conversations because I don't know if there's a standard for that. I'm like you. I'm not sure what's out there. I don't have the answer. I just have the question, but I don't know if that's DSA to look into or do some research. I'm not sure.
- Greg Derek has a response to this.
- Derek You know, I was thinking about this issue over lunch, and it seems that if we wanted to include a requirement for posting the maximum capacity of the table that we could do so by requiring a sign in close proximity to the table that identifies specifically the maximum weight and then additional language in the code that says the maximum weight shall be consistent with the manufacturer's specifications or product information or something to that effect.
- Bob Or, you could deal with it in the manual directing basically as a notice to the owners that it would be wise for their own liability issues to post that.
- Vidal Yes. I like that because there is a responsibility by the owners or wherever these changing tables are at. For their protection, it should be posted.
- Dara It sounds you could do something, and it could be simply that maximum weight could be posted on the table or in close proximity, and then [Indiscernible].
- Greg Okay. Sounds like that is something that could be done in the next code cycle, so noted. I think that leaves us with list that I have, and correct me if I'm wrong, the issue of signage. I don't what the key issue is there that was raised about signage, but maybe someone can articulate that, what the concern is, and then we'll see—yes.
- Dara Your notes last time reflected a clear consensus that you—if I can locate the notes, but it was very specific that everybody agreed that there should be wherever there is signage about restrooms that should include a sign about the adult changing facility is so that people aren't wandering around. People might not even know what this is. It's a new thing, so if you're in a big place, how would you find it.

Many places don't have central directories, or the central directory may be three buildings down from where you are or on the other side of a very large facility.

So, I think that everybody felt like it made sense if you're going to tell people where the restrooms are, just tell where the adult changing facility location. That was the consensus of the group, and it's not what we did. I think people are trying to understand what we did.

Greg Go ahead, Gene.

Gene I believe that it is in here that if there's a directory that is supposed to show where it is, and it does have the language that it's supposed to be posted on that sign. I think the missing thing that we had a discussion was the way finding of how signs [Indiscernible] directory. There should be signage to guide to it as you go from point A to point B.

Dara Gene that is a good issue.

Gene I'm saying that's what I thought was the—

Dara No, the language as it currently reads is you only have to supply it if there is a central directory, and then only in a central directory. I think what the language that was proposed according to Greg's notes was if the commercial place of public amusement has a directory or multiple directories, all directories shall indicate the location of adult changing facilities. That was—

Jihee [Audio disruption]. The way it's written right now, signage is not required at the adult changing stations, so there is no directional signage required or even directory assistance is not required [Indiscernible] directory. It's in the central directory, so I think if you're going to show where it is on the directory, all directories should have it. Then, also it let's us see directional signage in the restrooms where it's not provided, but I just think [Indiscernible].

Ida May I address this?

Greg Please.

Ida In understanding how this has moved forward, especially starting in the legislature, the requirement was in some ways address it in a minimal address it in an minimal fashion that's something that everyone could agree on. I think that takes into consideration the variety of facilities that are provided. First of all, for many of you facilities, yes they usually have a directory, but it's usually up to the facility to determine how they're going to show the directory, how they offer their services.

Understand that for large amusement park facilities like Knott's Berry Farm, Disneyland, LEGOLAND, places that have sprawling campuses of their arrangement they usually have these disability services directories specific to individual disabilities that we know of, which then features the specific facilities. So, they address it in that manner.

It's very difficult to understand how at this time to understand how it can be implemented to say if you show on a map to show where this is because when it's required that central directory will usually do it, and if we have signage going everywhere, that can get kind of confusing as a requirement, so I think that we wanted to tread lightly in that implementation with a minimum requirement of a directory and know that this is the feature that individual establishments are going to want, because they're going to spend the money to have this requirement, they're going to want people to use it because it's required. So, they will find a simple way to address this for those people who need it in letting them know that this exists.

I think that that's where we want to see where this goes. Right now we're having a difficult time saying how to address that directory issue encompasses all the facilities that are there, performing art centers, museums, cultural facilities, LEGOLAND, Disneyland. It's very difficult to target a requirement in that fashion, which is probably why the legislature dealt with it as a central directory issue as opposed to further than that.

Greg

Okay. Dara.

Dara

I just feel like the practical implication of this is that nobody will be able to find them, and they will be underused, and then people will say see we didn't need them because nobody's using them because I think it is under [Indiscernible] disability services because they're not readily available. I think it unrealistic to think in a large complex people are going to automatically know where to go.

I think it is unrealistic to assume that there's such a thing as a central directory in most places, and if there is no central directory, then there is absolutely no requirement to then be a sign as to where this is in something as large as Disneyland which makes it impossible for somebody to find it.

Certainly to find it in a reasonable period of time that doesn't require them tracking down 15 different people find someone who might know the answer.

Ida

I will tell you that we did do some research. Disneyland does offer disability services where they locate this, so most individuals know that to avail themselves because a lot of facilities, such as these, they know to inquire so they can make their experience comprehensive, and I think it's a little bit—you know, they're going to spend the money in these facilities. They're going to want them to be used. They're offering it as a service that's required by law, so again, this is a method of treading lightly in some ways to determine how it's going to—how we may be able to fine tune it in the future.

Dara

Disneyland might, but I spend a lot of time at the Sacramento Convention Center, which is a very large place. It does not have a central directory. It certainly doesn't have a disability services place. It certainly meets the standard here. I wouldn't have a clue—it's hard enough finding the bathrooms in that place, let alone finding one changing facility on five floors spread over [indiscernible] square blocks.

- Ida That's an existing facility to which these regulations don't apply until 2025, and then we can address it.
- Dara All I'm saying is that is a typical kind of place that doesn't [indiscernible]. I realize that's an existing facility, and just using it as an example of the kind of facility that's going to be covered by this and the problems that are likely to arise, and I do think that most facilities have some directories that say this is where the bathrooms are, simply, and it seems like you would want—
- Derek I just have one additional point I wanted to add to Ida's commentary, but in general when we go to facilities and we want to use the restroom, we understand that as an activity of independence. Now, the adult changing facilities are quite specifically addressing conditions of assisted use.
- According to the feedback that we got in the adult changing facilities task force, and we had five or six meetings, when caregivers or parents take their charge or children to these facilities there is pre-planning that's involved. They reach out to the facility where they intend to go, they get the information, they see that the services are there for what meets their needs or not.
- It's sometime difficult, I think, for us to step away from the independent use aspect of most of the accessibility regulations. This is not—the legislation for this is specific to assisted use, and it's somewhat related to the way we address most of the accessibility requirements, but there are some significant differences.
- Dara What I'm hearing you say is that a person that has an assistant is not going to be able to go to any facility and make use of this unless they plan ahead, and then it's really—I'm not talking about the person themselves. I'm talking about the person and their assistant not being able to use the facility unless they make this with other people because they won't be able to know, and even though the facilities are required, they can't just go to a concert or go someplace where they try and make umpteenth phone calls to try and find one person in this facility who might be able to tell them where this is.
- I'm trying to think of this on a practical basis for not just the person with the disability, but the combination of the person with the disability and their assistant. I don't know. We may not be getting anywhere here, but I'm feeling you may hear some frustration in my voice because I feel like we need to operate in the real world and not just in some academic sense, and this is not a particularly onerous or expensive requirement to have people be able to find these facilities that people are spending a lot of money on, and I think it is very unrealistic to assume that people will want these facilities to be used.
- I think they'll put them in because they have to, but I think if you ask people to with disabilities, they're not wanted in a lot of these facilities. They face significant discrimination in a lot of these facilities. The assumption that people are going to welcome them with open arms, I think that's just untrue. I think the facilities will be there and nobody—we have examples in early meetings about



people who tried to find things and nobody knew where they are. I mean, I think it's the real life experience of people that we're trying to make easier.

Ida I don't know if—

Greg Yes, let's take Gene's comment.

Ida Then, I want to address that issue.

Greg Then, we'll kind of wrap this up.

Gene I'll try to be brief. The thing is I realize the charge accessibility is also that accessibility usable, and I can tell you from last December, Disneyland trying to find single-use restrooms, you go to the main customer service. Yes, you can get the information, but when you're out there in acres of acres of property to find—there are a lot of bathrooms there, but single-user ones are very, very limited. We hit them all there, and to find them they're not easy to find, and if there are directories around there, I don't recall that we could find any directories that said single-user, family, all-gender here in this direction.

You have to go back to the customer service to get that information if you needed to, or if you wandered around, and you don't have time sometimes to wander around. So, usability shouldn't be—I understand the last question. Limited things or [indiscernible] but making it usable, too. Thank you.

Vidal Can I put a suggestion out there? This is Vidal.

Greg Go ahead.

Vidal Real quick. There's something called Beacons. I don't know if anybody here knows about them. It's a piece of IT equipment that's used with Bluetooth and iPhones. I know that's going to limit a lot of people, but this is just a conceptual idea this Beacon. They used them at Fresno State when they were doing construction on campus where it would indicate what you were going to run into and what it was on your phone. You had an app for it, but in the same way, it navigated persons who were blind or visually impaired on campus as to where they needed to go to class.

So, I don't know if this is feasible for things like parks, but it would really make sense with technology as far as the for the owners part of you. I don't know what the cost would be on these, but it's called Beacons, and there's a lot of stuff online about them.

Greg Thank you.

Ida This is Ida. I just wanted to address that this is an issue that we felt was appropriate to the minimum requirement that was stipulated in legislature because it is difficult to quantify a requirement such as this for each different type of facility how it's

being used. It is not that we are resistant to ever doing it. Again, this is a wait and see.

So, in response to what facilities are like out there right now, they aren't required to advertise where the single-user facilities are or a specific type of facility is. It's provided as a service, which is actually a requirement of listing on the central directory where the adult changing facilities are a requirement as of the statute. We are meeting that requirement.

I do want to address as well that for existing facilities, they are difficult to use because many of them have not been approved to require them depending on when they were built. However, we have an opportunity to address that in existing facilities for the 2025 requirements. In the meantime, we can wait to see how they are implemented. Disneyland, Knott's Berry Farm, all these areas are existing facilities, so they are actually not required to provide them until 20205 unless they add a new building, I guess, as a permanent commercial place of public amusement.

So, new facilities will have this requirement. We'll take this into consideration in the central directory, actually put it forth how we were locating them always. So, we want to be able to tread lightly so that we understand what the ramifications are. Sometimes when we put out a regulation that is extremely restrictive, we won't have the opportunity to asses to see how it performs because of what's coming up.

So, it's just a matter of meeting the minimum requirement now because it's difficult to address this issue for all facilities. That's the best way that we're trying to put it forward right now.

Greg I think we should move on. I think the consensus of this group is to do this, and you explained why you're going to take the step you are, and I think we should move on.

Dara But, the notes will reflect—

Greg The notes will reflect. Okay, let's move in. I don't think there's anything—I'm sorry. If it's short, go ahead.

Jihee I'm just trying to remember when we first talked about adult changing stations, [audio disruption].

Ida They're not commercial places of public amusement.

Derek Oh, that includes—

[Speakers off mic].

Jihee I saw something else, Susan, related to definition and scoping. In the definition it talked about commercial places of public amusement that were 2,500 or more. Would that language be in scoping [audio disruption] in that scoping section, it

should say like you know for this size, more than 2,500 maximum occupancy, [audio disruption].

Derek The relationship between the definitions and the scoping sections sometimes does that, but not always. Here we've maintained a very close consistency with the definition which was explicitly expressed as the definition in the legislation for commercial place of public amusements. If we were to consider to tinker with that and to change it to pull sections of it out and reflect it elsewhere, every time we do that, we separate further and further from the legislation and its original intent.

I understand that there are feelings of wanting to make this even better, but I'd also ask everybody to just please respect the process that DSA has gone through before in calling together a good representative group of people who use these facilities. Just as you would respect a consultant who was hired to give you their knowledge and experience of their particular field, please respect that these users and in fact the legislator who had proposed this bill participated in our adult changing facility task force.

There was a lot of balancing that went on in the development of the legislation in the task force. We had also construction industry representatives there as well, and I just ask for some respect for these people who've been involved for many years.

Greg Okay, I'm going to suggest we move on. Thank you, all, for participating in that and realizing—Carol, can we hold that?

Carol It's just a quick question about—one of the things that I was confused about because I thought that the law says that there has to be signage indicating on the entrance to that bathroom. So, when we were talking about signage and directories, is there wording because it says that each facility shall ensure that the entrance to each adult changing station has conspicuous signage indicating the location. So, is our language then saying it's on the door of each building, each facility?

Derek Not on the door, but adjacent to the door. In our proposed Section 11B-813.2.12, signs, the first sentence says a room identification sign, that's what you're looking for, complying with Section 11B-216, and those are the requirements for identification signs, which requires it to be placed alongside of the door, shall be provided at entrances to adult changing facilities.

Carol Alright. That was my question. I was confused. Thank you.

Derek Sure. We've been talking about a lot of different things.

Carol Thank you.

Greg Sure. Absolutely. Okay, who's going to lead the discussion just on where we are with 11B-224.2?

Susan I'll do that. This is Susan Moe. We made one change—

Greg Page number.

Susan Sorry. We made one change, and Greg was going to say, it's on page 17 of 70 of your document, and this is the table, 11B-224.2. What we looked at here, and actually Ida she's the one that caught this, and it makes sense.

What we did, we changed the numbers there, so in other words, if you only have 1 guest room, then you could either provide a roll-in shower, or if our code change proposal is adopted by the Building Standards Commission—I'm sorry.

You could either provide an accessible bathtub, or if our code change proposal is adopted by the Building Standards Commission, you could provide a 36 by 36-inch transfer shower because the way the table was written before, if you had from 1 to 25 rooms, and let's say you only had 1 room, and we're requiring 2 rooms with transfer showers, and then another room with either—

Okay, we were requiring 1 room with a roll-in shower and requiring another room with either a transfer-type shower or a bathtub. In other words, if you only had 1 room, and you're a transient lodging facility, then that created an issue because in that 1 room, how are you going to put in a roll-in shower and either a transfer-type shower or a bathtub?

So, what we did there was we just changed where that numbering starts. So, if you have 1 room, you can see there, again it's on page 17, if you only have 1 room, as I said you could provide either a bathtub or a transfer-type shower, but then if you have 2 to 25 rooms, then this would require 2 of those rooms to have mobility features; 1 would be required to have a transfer-type shower or bathtub, and then the other room would require one of the types of roll-in showers, either the standard roll-in shower or an alternative roll-in shower.

Then it made sense because as you start from 2 or more, then you would be able to provide the different sorts of bathing facilities in your rooms that would be required to have mobility features.

Ida [Speaker off mic] just making the table makes sense where it's transient lodging facilities that have only one—

Greg This was a topic of consensus at the last meeting where everybody agreed to this change. So, Dara and then Gene.

Kaylan Can I interrupt very quickly, and just please ask everybody to speak up?

Ida Sure. Thank you, Kaylan.

Greg Yes, everybody, speak up a little louder.

Dara The change that we're talking about, it wasn't at the last meeting. This was a new change. So, I totally supported where we were before. I believe this is in violation of the ADA tea access standards because they say that you have to have one roll-in

shower for facilities of a certain number. I don't think we can use this. I think the obligation is to provide a roll-in shower.

Ida                   Actually, that obligation is only in California. The ADA is the transfer shower or a bathtub for the first group.

Susa                For 1 to 25, under the standards, you can either put in a bathtub or a transfer shower. Roll-in shower does not start until you get 51 to 75.

Dara                Sorry. My mistake. I still would prefer a shower.

Greg                Gene.

Gene                Understanding what we originally, I'm sorry, was the 1 to 25 it had to have a roll-in, and then you had the choice of a transfer shower or a tub, accessible tub. Okay, now, when you get—and, I think the rationale for the one it was that it would provide greater numbers of people that could benefit from it.

What I need to be educated because I've talked to some people that transfer and need their own showers in the last day or two, and they're telling me if a roll-in shower properly constructed, and the controls are right there along the seat, and the seats are retractable so if they don't need the seat, they can transfer, they can use it, a roll-in shower should be mandated and not optional between that or a transfer, and it just seems like that, from at least what I'm hearing, that would provide greater access for a lot of people because the operator decides they're going to just go with a transfer shower 36 by 36 or 36 by 48, whatever the measurement, then those who need the roll-in are denied the shower.

Derek              If you don't mind, Gene, I was hoping that—well, I wanted to ask if maybe the change that occurred between the last ACC meeting and today if that was being completely understood. Now in the last ACC meeting, the first line on the table would have regulated the total number of guest rooms from 1 to 25, and at that meeting, we had a requirement for having a minimum number of required rooms without roll-in showers, which means transfer or tub, of 1, and officially a minimum number of required rooms with roll-in showers requiring one of those.

Gene                I understand.

Derek              That all works when you have 2 or more rooms, but where you have only 1 room, you can see that that would mandate two different bathing facilities within the 1 room. We found that be impractical, so we separated the table to address 1 total number of guest rooms provided on the first line, and on the second line addressing 2 to 25. Where we would for 2 to 25, that's where we definitely get the requirement for a minimum of 1 room with a bathtub or transfer shower and a minimum of 1 room with roll-in shower.

So, then we get that option for people who may prefer one style of bathing or another.

Gene But, that's not a possibly with the one room if either a transfer/tub or a roll-in shower that I just heard a few minutes ago. So, the operator, property owner decides I'm not going to put a roll-in shower. I'm just going to put this other one in. You're denying anybody who needs a roll-in shower, and that might be the only room that's available for whatever small community they're in. I know a single, one-room facility is probably very marginal.

Ida Can I just address this? The standard addressed a facility that has fewer than 5 rooms as not subject to standards technically if the owner lives there. So, your typical bed and breakfast, if the proprietor lives there, has no accessibility standards. So, while we're talking about transient lodging facilities that you typically see provide just a single room with an office is a model that doesn't economically really exist. So, really this change is to address a table making sense more so than even some ways the actually reality of the condition out there, and technically meeting the minimum requirement as well of the ADA, which we felt was important to do.

So, understanding the impact of this, technically we are actually expanding the requirements from where they are right now. Right now, the very first one for 1 to 26 rooms is one roll-in shower. We have expanded it to the point where for 2 to 26 room we are now requiring 2 rooms, one with a shower, one with a roll-in. The probability of 1 guest room facility provided, period, is—

[Speakers off mic].

Ida It's really more of an application of having the table make sense than it is an actual reality of having 1 room provided somewhere without any other guest rooms there, just 1 room because the other model, like a bed and breakfast, if it's 5 or under, the standards don't apply.

Greg So, with that said, any remaining concerns about this table?

Gene I want to hear that my issue it was heard. The fact is if you're giving options for the one, and the roll-in is the one that's both addresses both people who need the transfer and roll-in, but if they go for the transfer one, then anyone who needs a roll-in is denied a shower, so it's not full access. That's what my point is.

Greg So, you would flip it, and you would have the requirement be a roll-in shower.

Gene Yes.

Ida If I could address that issue. There has been a concern that we are not meeting the minimum federal requirements as required by law under the ADA with this issue. It's been raised by many who need these facilities and those who don't. There is a purpose for those—there are preferences in some manner. Sorry, how do I say this?

When one facility is provided under the federal standards, they have indicated this shall be a 36 by 36 inch transfer shower or a tub. So, in addressing this issue and

maintaining the California standards, we have included it. So, Gene, I understand your condition that for the first one it should be a roll-in shower, however, if we do that, we are then still subject to being in violation of the federal standards.

This is a model that's not likely going to be provided anywhere anyway. We can increase the number from 2 to 25. We can meet the minimum federal standards with the 1, and still access is increased overall, but at least we know that statutory mandates of being minimally compliant with the standards.

- Greg Okay. That's helpful. Thank you. Yes, Carol.
- Carol I think I recall us talking about like the people who rent out their rooms—I forget what we called it.
- M Airbnb.
- Carol Are those now under this?
- Ida Under federal law, it's still unclear to us how those are addressed with the accessibility standards. Under the building code, those aren't constructed in that matter because they're already constructed, usually a single-family residence that's sold later, so therefore they wouldn't be subject to the building code.
- Bob There's no mechanism—
- Ida There's no mechanism that triggers the building code, so really that's an issue that we can't address in this manner because it's highly unlikely that someone is constructing 1 guest room, transient lodging facility.
- Carol If it's more than that, say it's 2—
- Ida Then, they have 1 with a roll-in shower and 1 with a transfer or tub.
- Carol Because that would be considered a transient—okay, so even if it's a residential home, they—
- Ida Well, it would have to be constructed as a transient lodging facility for the building code to apply. So, if they have 2 rooms, and it's a home, that's not constructed as a transient lodging facility.
- Carol They're renting them out for Airbnb.
- Ida Still not constructed with the building code.
- Susa Be aware that Airbnb there was a gentlemen over in the Bay Area who realized that he traveled and he needed very specific provisions, and he used Airbnb all the time, and he needed an accessible residence. He had a startup called Accomable, and what happened right around the beginning of this year his startup was purchased by

Airbnb, so they can include accessible dwelling units that you could rent through Airbnb.

Hannah They have that option. I've used them before.

Carol Okay. Thanks.

Greg Okay. So, it sounds like good point made by Gene understood, but it also sounds like there's reason for the process. It sounds like there's a majority of people who support this. Anybody who wants to register their opposition to this as it's written? Okay, Gene. Thank you for that.

Okay next. The transfer shower.

Susan We haven't made any changes, and these provisions, these are the technical provisions for the transfer-type showers. It's begins on page 55, and it goes all the way through to page 66. What we've done here is we've incorporated the technical provisions from the standards, so unless there is a specific provision that you would like to talk about for these technical requirements for a transfer-type shower. As I said, we haven't made any changes to those provisions, so I don't know that we need to go through those one-by-one.

Greg No. Any questions or comments? Okay, we can move forward on that one.

Susan Do you want to ask if anybody supports?

Greg I'm looking at the other room, and I don't see or hear any opposition moving forward with this provision. Is that correct? Okay, since there was no changes, I think we're pretty good on those. I think it's primarily where we have changes it's going to be a conversation.

Okay, accessible toilet compartments.

Derek Okay, good. So, this item is on page 53 of your packets. Here we did make a change since the last meeting. Rather than striking the existing language which says the door opening shall be four inches maximum from the front partition. Remember our first series of proposals was simply striking that language.

We sought to further define where the side entry outswinging door needs to be located. Before we knew it had to be very near the front-end of the stall, but we're getting away from that language. Instead what we've done is we've provided more technical requirements that identify the location of that side entry outswinging door.

What we say is that first of all that the door opening hinge side jam, so that's the edge of the door opening, for outswinging doors has to be farthest from the water closet. So, basically, the hinge of the toilet partition is furthest away from the water closet. Now—



Bob As opposed to—

Derek To being very close to the water closet, which makes for a very awkward approach.

Bob I'm trying to visualize this. Don't worry.

Derek Well, if you wanted to visualize it, it's actually illustrated in our existing code.

Bob Good.

Derek So, we've drafted this language to make specific what we see in the figure 11B—

Bob Perfect. Thanks. Bob likes pictures.

Derek Yes, absolutely. So, we want the hinge furthest away from the toilet fixture, the water closet, and then the strike side jam, that's where the latch is located, the strike side jam has to be 54 inches minimum from the rear wall. That's the rear wall that's right behind the toilet fixture, the water closet.

So, anyhow this language clarifies what we've already seen in the building code for this type of application, so there really shouldn't be too much of change for practitioners or code officials.

Ida Essentially what this did was before it was located on a partition, so if the partition was farther, it pushed the door farther and it actually prevented the design of other—because California compartments are already larger. So, what sought to find was the minimum distance from the rear wall to the strike side so that the door could be technically in the middle of the compartment depending on how long it was and still allow the toilet clearance that we needed.

Greg Okay, any concerns on this topic?

Arfaraz I had a question. This is Arfaraz. Where does the 54 inches come from? What's the rationale behind that?

Derek The 54-inch is done by visual analysis. We have a 56 or 59-inch clearance space requirement. It's 56 inches for wall mounted water closets and 59-inches for floor-mounted water closets. Then, we were able to approximate the strike side jam dimension by backing into it essentially.

Soojin I was wondering would it be [indiscernible] 54 inches. So, if the door opening aligned with that, [indiscernible] in the front of the toilet aligned with the side grab bar.

Derek That wasn't our rationale, and really this entrance needs to be on the wide side of the toilet compartment, so we're not going to have a requirement for grab bars there.

Soojin No, I meant [indiscernible] going in as far as the side grab bars come from the rear wall.

Derek Yes, approximately so.

Ida Basically, we require a little more space than the minimum federal requirement of where the door location is without taking into consideration the partition's relationship which can extend farther and allow for other.

W [Speaker off mic].

Dara Right, and if I'm understanding the question [audio disruption] ensures that the grab bar requirements aren't interfered with.

Derek They would never be interfered with because it's on the opposite of the compartment.

Dara This is Dara. I appreciate you making this change because it's much clearer to me now. Thank you.

Greg Lewis.

Lewis So, where do we cover inswinging doors?

Derek Well, inswinging doors are already adequately covered in the code. Remember, they have to be provided within that—

[Speakers off mic].

Lewis Okay.

Greg So, Vidal or Kaylan, any comments on this one?

Vidal None.

Kaylan No.

Greg Is everybody supportive of what's being proposed? It sounds like no opposition. Okay. Let's move on then to 11—

[Speaker off mic].

Greg Okay, well that was fast. We got through lunch, and now we're only an hour and 15 minutes behind, so that's good. We'll see what we can do to make some of that up. So, 11B-207.1.

Susan That's on page 15 of your document, and what we've done here after comments that we received in the public hearing that we had or the public meeting, we've amended the language, and really what we're doing is carrying forward what is

already in Chapter 1009, and you'll see there the exception would read accessible means of egress are not required to be provided in existing buildings.

The situation is what's happening in the International Building Code, the various provisions that would be required in existing buildings, those are being moved into the IEBC, the International Existing Building Code, and for DSA for access compliance, we don't adopt the IEBC, so really what we're doing here is just carrying forward an exception that already exists in Chapter 10.

Derek Carrying forward and relocating it.

Susan Relocating it, correct.

Derek So, this should have no regulatory difference of effect compared to where we are on this issue right now in the code.

Susan Correct.

Greg Any comments or questions about this?

Dara Can I ask a question for future rulemaking? I understand that you're not making a substantive change now. You're just relocating it, but you have the authority now to adopt something different for 11B if you wanted to because we have certain standards align—

Derek By relocating it into 11B, we move out of the situation where the state fire marshal has the primary adoption authority. We also adopted this section in Chapter 10, so we were I guess you might say a minor partner with the state fire marshal on this, but because the model codes have changed and the Building Standards Commission has adopted the new model codes, it was like the rug was pulled out from under us. We needed to address this somehow.

Dara I guess my question is this is a huge concern for people with disabilities in emergencies because there aren't egress methods [audio disruption] egress for people with disabilities in an emergency. If we're making a proposal to do something different with this in the future, you have the ability to consider it.

Derek Sure. What a lot of times people don't recognize is that the ingress that's provided in existing buildings is intended to be used as the egress also, and that's why there has long been a broad exception in alterations.

Dara Yes, I just [speaker off mic]. Just wanted to know if we could bring this up in in the future that you could do.

Derek Yes.

Greg Was everyone able to hear that?

Kaylan No. Sorry, but it's getting really frustrating to hear you guys.

Dara Sorry, Kaylan.

Greg Basically, it's just a question of in the future this may be open for a code change because people a lot of times have issues with egress, and so the response from DSA was yes, this could be in a future code.

Ida Or, could be considered.

Greg Could be considered, yes. Okay, let's move on to 11B-206.2.19, scoping for curb ramps at intersections.

Susan Greg, were you going to, you mentioned earlier—I'm sorry for interrupting, but you mentioned earlier you were going to see where we were.

Greg It is 2:30. I was going to see if we could make it down to the housing before I did that, but thank you for reminding me. We'll see how these next two bullets go.

Arfaraz Hey, Greg. I had a question about the acceptable means of egress. [Audio disruption] provided in existing buildings. Does that include additions to existing buildings?

Derek No. An addition is required to comply with the new construction requirements, so it would be required—

Arfaraz So, if the accessible—it would need to be granted through an existing building? I'm sorry [audio disruption] an existing part of the building.

Derek I think that would be an irresponsible design. If it doesn't comply with a new building construction requirement for the building addition portion of the work by providing the appropriate egress, then it would seem to be deficient.

Arfaraz That is something that's in the code that specifically would require that the means of egress from the addition be accessible and there's no exception to that, right?

Derek No, there's nothing that explicitly says means of egress in additions shall comply with the new construction requirements. What the code does say in Section 11B-202.2 is that each addition to an existing building or facility shall comply with the requirements for new construction and shall comply with Section 11B-202.4, that's the path of travel requirements.

Greg Thank you. Gary, do you have something on this?

Gary In our review that would depend on what the addition is, and what the existing building conditions are for the path of egress and ingress, but we look at egress. So, if the existing building and corridors that exist in the existing building is what they're utilizing and meets the requirements of the code there for egress, then it is acceptable, and an additional exit may not be required. If an additional exit is required, then that exit is required to comply with all the requirements of the code.

Greg Okay. Thank you for that. Just looking at the time, on the header to the agenda, it's pointed out that the meeting might go to 4:30, but the specific agenda suggested that we were going to wrap up about now. Clearly, there's a few more bullets here. We want to have some time for discussion. I just want to check in and say are people good to go, or can we go until 3:30? Is everybody settled on that? Does anybody have a problem—?

Arfaraz I do have an appointment at 3:30, so I'll have to get out of here pretty soon.

Vidal This is Vidal.

Greg Yes, Vidal.

Vidal I have someone that left early for a doctor's appointment here at the office, so I have to cover, so I'll have to get off the phone here now, actually.

Greg Okay. Well, we will do our best to wrap this up by 3:15. Arfaraz, does that work for you?

Arfaraz It does. I would just ask if we move some of the housing items that I wanted to speak to, move ahead on the agenda.

Greg Do you have to leave at like 3:00? How much time do you have? Are you leaving at 3:00?

Arfaraz I'm looking at leaving at 3:00, yes.

Greg Okay. Does anybody object to jumping to the three housing items? No, okay. Kaylan, is that okay with you?

Kaylan Do what you have to do?

[Speaker off mic].

Dara Sorry, Kaylan. Go ahead.

Greg Sorry, Kaylan.

Kaylan Go guys do what you have to do. I'm here either way.

Greg Okay, by the way, are you just having primarily trouble hearing us in this room, or is it also from the remote locations.

Kaylan There are issues with both, but if I jack the volume up so I can hear people in the room, then when somebody outside of the room speaks, then I get blasted out, and the higher register of females are just not picking up. So, those are issue we can talk about later.

- Greg Okay, well thank you for that. Since we want to know how this is working, this is part of the experiment to see how well the technology works and if this meets the need. It sounds like everybody's okay with moving to the housing.
- To Dara's question, is there going to be another time. This is the last meeting before an August meeting. So if, for example, we were not able—that's why I want to try to at least get through a quick read on each of these. Then, if there are remaining issues, then they will have to be I guess dealt with—
- [Speaker off mic].
- Derek Additionally, this is also the last ACC meeting before DSA submits our package to the Building Standards Commission for the Code Advisory Committee review.
- Ida We have to get that prepared mid-May, which is effectively two weeks. There's no opportunity for another meeting.
- Greg Okay, well let's jump in then on the housing. Can we talk to the first bullet is—?
- Susan Well, how about let's talk about where we made changes to what we had discussed previously on the housing agenda.
- Greg Absolutely.
- Susan So, page 7, the only change that we made here is when you looked at the suggested text of the proposed amendment, you would see here that it no longer says that this section does not apply, and then we refer you over to Section 1.9.1.3. So, what it says here, the change here just states under 1.9.1.1 and then the subsequent sections for public housing see Section 1.9.1.3. That's the only change that we made there. We didn't make any change to the definition of public housing.
- The other change that we made is on page 27. Let me be sure I have that right of the document. That's correct. On page 27, what we did there if you look at that Section 11B-233.3.2, it talks about residential dwelling units for sale, and this would be for individual owners.
- What we did is we added a note, and this is the note that you would find in the CFR, and what we say there is the requirement of 11B-233.3.2 also apply to housing programs that are operated by public entities where design and construction of particular residential dwelling units take place only after a specific buyer as been identified. In such programs, the covered entity must provide the units that comply with the requirement for accessible features to those pre-identified buyers with disabilities who have requested such a unit.
- Bob That's also verbatim out of DoJ's.
- Susan Exactly. It's pretty much verbatim from the Department of Justice in the Code of Federal Regulations. Our reasoning, Bob asked for this provision, and he actually was looking at putting in the definition of public housing, but this note is really

specific to this particular section, for the scoping section, and what we find is it's better placed there, and sometimes code users don't even look at the definitions necessarily.

So, anyway, those are the only changes that we made. So, with that, we can open it up to any other comments.

Greg Let me just ask first, are there any questions or comments on those two changes, the only changes being made. Anything on those?

Bob Well, questions or comments, yes, I have a comment on this thing.

Greg Yes, I just wanted to see if there's anything on these. Okay, so now, thank you, Sue. So, any comments or other points?

Bob Yes, Bob Raymer. Thank you for doing that, and I agree with DSA's placement of it here as opposed to the definition. We do not want to do anything that could inadvertently impact multifamily. We were looking solely at the single-family dwelling that's offered for sale to individuals, and the language that DoJ has is very clear on that.

Earlier, we had a big concern that what DSA was proposing was vague and ambiguous in the definition, but this took care of our concerns. I can say that in the coming probably in the next four to six weeks, we'll be working with CALBO and HCD to see if whether or not there should be a formatting change.

I know that we're going to come across some of the long-time code users are going to think that this is a note that has strict building standards in it, and that's a good point. It might be better for this language to actually become the second and third sentence of the introductory thing under 233.3.2 and number two, and this may sound a little odd coming from me, but this is a DoJ mandate, and for some reason a lot of people look at a note and say that's informative only. It's not really code. The fact here is if you don't do this you could end up getting sued, and from our perspective that's a lot of money.

So, we'll we reaching out to CALBO and to HCD to see what they have to think about this, but we may be suggesting a slight reformatting of what you have here, but we wouldn't change the language.

Susan Could I just add one comment to that? In previous rulemaking cycles, what we did there were certain provisions that were more operational and really not able to be enforced by the building officials, and we started to remove some of those provisions.

One of them was for checkout counters when you needed one that was accessible. If there were checkout counters that were closed, and they opened one, they had to open one that was the accessible checkout counter. In reality, that was not anything that the building officials were going to be able to do any code enforcement on.

When we look at this, this is one of those issues that yes, it is the obligation of a Title II entity, but it isn't something that a building official isn't necessarily going to be able to the analysis and the approval for.

- Bob My response to that is that the building official will be checking for compliance with this in the area of housing that normally you don't see accessibility into. So, this is going to be a big head's up to them. Once again, we'll look to some advice from CALBO going forward.
- Greg Arfaraz, was this a topic on which you wanted to weigh in, and if so, great, and if not, we'll take Dara and Gary and come back to yours in a minute.
- Arfaraz [Audio disruption]. I don't recall having an objection to this.
- Greg Okay, thank you. So, Dara and Gary.
- Dara I have no objections. I think it's helpful but, Bob, if you are going to be promoting formatting changes, can you just keep me in the loop?
- Bob Oh, yes. Everybody.
- Dara I'm not necessarily opposed to that. I think it might be good to [audio disruption], but I just want to be in the loop, but I think this is fine. Obviously, it's the law.
- Bob My only concern, then we'll get to Gary, but my only concern I want to make sure our guys who might normally not be thinking about this understand that this is a federal requirement. Yes, it was released eight years ago, but going forward, if you don't do this, you can get into trouble.
- Greg Thank you. Gary.
- Gary Gary Layman, and I'm speaking for CALBO. Thank you, Bob, for bringing it up. Thank you, Susan, for putting it in where it is, however, I am going to concur that it become a section, not a note. The reason for this is because it's going to be myself and my community that's reaching to train the building officials, and them and the inspectors and the industry, and the comeback that we always get when there's a note, that's a note. That's not enforceable, so therefore, we're not going to enforce it.
- If they indicate that that's federal and we go to federal with the attorney general says that we follow the California code. I totally understand and agree what you say about the counters being open and accessible and that, but this would be more helpful for us on the enforcement side of it to be able to see that we can [indiscernible]
- Like I said, thanks again for putting it in because I think that great, because a lot of the plan checkers and building officials and inspectors don't check this part, and they don't understand. So, thank you, again. I'm just going to reiterate that instead of a note, it be part of the code. So, that's what is CALBO is going to look for.



- Ida We'll look at it, and when we write the code in an enforceable manner. Sorry. This is Ida. We will attempt to write the code in an enforceable manner, so if it's something that we can write as a regulation that CALBO indicates they need that to enforce it, we can always look upon [audio disruption] we may be able to make that change. Investigate it.
- Gary Thanks very much.
- Greg Okay, very good. I'd like to give Arfaraz an opportunity to weigh in next on any issues that you have or topics you want to discuss.
- Arfaraz Regarding the applicable dates for alterations.
- Greg What page?
- [Speakers off mic].
- Greg Page 31. Got it. Okay.
- Arfaraz So, I just want to go on record once more and express my objection to [indiscernible] that DSA's proposing the code change that in effect reduces access in public housing. It will have a significant impact on alteration projects, on a vast majority of alteration projects in public housing where adaptable features will not get incorporated or will no longer be required under the 2013 code cycle if this goes through.
- After two code cycles of it being in the regs where adaptable features have been installed and incorporated into alteration projects and facilities built before March 13, 1991.
- Greg Okay. Thank you. Any other comments or discussions. Dara.
- Dara I just want to say that I agree with Arfaraz. This is a significant impact and cutback. I mean it's hundreds and hundreds and hundreds of units that the town of San Francisco would have to change. I mean thousands. I can't remember your chart, Arfaraz, and I strongly agree with Arfaraz that this is a sign cutback of accessibility throughout the state in housing.
- Greg Any other—
- Soojin This is Soojin. I just wanted to say [audio disruption]. I support the DSA's change to build in an accessibility requirement [audio disruption]. [Audio disruption] modify those units upon request under FHA requirement to provide these modifications. So, I think this is a pretty good compromise.
- Greg Okay. Thank you. Any other comments, points of view that you'd like to voice to DSA? Kaylan, any comments on this?

Kaylan No.

Greg Okay. Anybody else? Any other key housing issues to raise related to proposed code changes?

Dara This is Dara. We submitted other comments.

Greg I'm sorry.

Dara This is Dara. We submitted other comments, but I don't think we need to rehash them. I really appreciate some of the changes that have been made. Thank you.

Greg Great. Thank you. Carol.

Carol If we agree with something, do you want us to say yes, I'm in agreement, or is that not important right now?

Greg Well, it can be. What are you saying yes to?

Carol I agree with what Arfaraz and Dara were saying, and I would like to investigate a little bit more into why they wanted to propose this.

Greg Is there a *Reader's Digest* version that we might just share?

Dara I think Gene had his hand up, too.

Gene I just want to add my disagreement.

Greg Okay, thank you. Yes.

Susan I think one thing that we realized after doing the significant research that we continue to do on housing and taking a look at what happened in the 2012 rulemaking cycle, and also understanding that in reality what we're doing is actually incorporating into Chapter 11B something that you do get to when you go through Division IV in Chapter 11A because there's a note there, and I know we all say well the notes are not regulatory, but what that note directs you to is to the scoping in 1102-A, which makes it clear that that March 13, 1991 trigger date is applicable for projects constructed for first occupancy prior to that. Those covered multifamily dwelling units are not—when you do alterations, those are not regulated, so the code path is already there.

What we realized and what we've heard from quite a few public housing authorities and different jurisdictions in Southern California that there are projects that are not going forward. So, there are no units that are being provided that not even the 5% and the 2% of the units that would have mobility features.

The other thing that we're hearing is that sometimes what code officials will do when you look at this particular provision under 233.3.4 it does allow for technical infeasibility, but what it states is where it's technically infeasible, then you have to

provide a one-to-one replacement unit. So, that means that you'd have to do a replacement unit for the 5%, but you would also have to do replacement units for every one of those units that are ground floor units.

What's happening in some jurisdictions what they're saying is we won't grant you technical infeasibility, so those units are not being altered or modified. So, really what we're doing is putting in place what is already there by following a particular code path and realizing that without this March 13, 1991 date when you look at these alterations, this is a significant enhancement of what the code provides for and what the federal regulations provide for. So, really, that's what we're doing is correcting what needs to be corrected when we look at the alterations for these residential dwelling units.

So, now, we're in compliance with the Fair Housing Accessibility guidelines. We're also in compliance with the requirements in the ADA Standards.

Greg

Thank you, Sue. Dara, do you have anything? Okay. So, I think we actually we've moved through the housing piece, and we have these two sections left we want look at 11B-206 and 703. Before we do that, before Arfaraz leaves, I'd like to just point out, and I'll reinforce this in an email to you that remember we broke into small subsections within the ACC for representation on our planning committee and also just for representation generally on the committee.

Those that have multiple folks, we're going to talk about the rotating—if you remember there's a rotation off. Some people are going to rotate off at the end of this year, and then they can still be on. I'll send an email out to clarify this, but DSA would like those decisions by the August meeting so that it's clear who's going to be rotating off, who's going to stay on, and then they'll have a better sense of what slots to fill as needed.

So, I'll reinforce that in an email. I just wanted you to know to just be thinking about that and be looking to that.

So, I think we have just two sections left for today that we haven't touched on, 11B-206.

Derek

Okay, 11B-206.2.19, and that's on page 13 of the meeting package. It starts on page 13. Here we have not made any changes since the last ACC meeting on this one.

Greg

Page number, I'm sorry.

Derek

Page 13.

Greg

Thank you. So, no changes since last time.

[Speaker off mic].

Greg

Comments on this. Gene.

- Gene Just a question. I had asked for consideration to be given to expand and define what are [audio disruption] which had been in the Public Right-of-Way report. You were going to go back and look at that. I was wondering if I could get a response.
- Derek We did. We went back, and we reviewed the Public Right-of-Way report. As I recall, it predated the Right-of-Way Accessibility Guidelines that are now the most recent document released on the issue. There were distinct differences between the initial report which was studied, and then the outcome of that study being reported versus the guidelines, which are in effect proposed standards.
- So, there was some evolution through the process at the federal level. Apparently, they found that it was not necessary to include those as they moved forward in actually developing their guidelines of proposed standards.
- Gene [Speaker off mic] report looked at data, and I believe that we're restricted to stay to the minimum, but we can go beyond the minimum.
- Derek Well, certainly they are not standards at this time, so we're actually not limited to complying or sticking close to the guidelines in any way whatsoever. The initial code change proposal that we received from Hol Lynn and from you was asking us to re-introduce the requirements for pedestrian street crossings. We've done so, and we've improved the language, certainly.
- The including of a substantial portion of the initial report was going to be well outside of that initial code change proposal that we received, and it just was not appropriate for this level of scoping requirements here.
- Gene Okay. I'm not going to oppose this. I just wanted to try to understand why this would be detrimental to the scoping language [audio disruption]. I'm not going to oppose it, and also from the meeting we had a couple months ago, I hope we can work together about the separate part that was [audio disruption].
- Ida We have it on our agenda to reach out and investigate further.
- Greg Okay. Any other comments or observations on this section. Kaylan, do you have anything on this.
- Kaylan No.
- Greg Okay. So, there's basic support for this section as proposed. Anybody have any problems? Okay. Thank you.
- Are we down to one provision left? Yes, 11B-703.
- Bob On 67.

Derek

Page 67. Here we have made no changes to this item. This item is striking the existing technical requirements for the tactile identification at pedestrian traffic control buttons. This was, just to recall, we had received attorney advice on this item that this was outside the scope of authority that is conferred upon DSA for writing building code provisions for accessibility, and so in order to become consistent with our authority, we're proposing to strike this section.

We understand that the California MUTCD includes requirements now for tactile buttons at pedestrian street crossings, and those are the buttons that are going to have the raised arrow on the face of the button typically. It is a little different than the tactile requirements that we have here about having a black and yellow band around the pole, but it addresses the same issue in a similar manner.

Gene, if you have interest, I can certainly provide that to you or anybody else here on the committee, references, and section numbers in the California MUTCD, which addresses that.

Gene

My organization, California Council of the Blind [audio disruption]. I don't have any argument about the transference to Caltrans. As a matter of fact, it's maybe on the California Traffic Control Devices Committee. May 10<sup>th</sup> it's a tentative item right to begin discussions about having that put in to the manual. Just very quickly, it's really meeting the need for people with low vision that with the yellow can see from a distance to they can locate the device, particularly for those with no vision at all who also have severe hearing loss that they can't hear the locator tones if there's an APS.

This requirement applies to all pedestrian push buttons whether there was an accessible pedestrian signal or not. So, it's addressing a different issue, and enforcement would be better in a manner, so we don't dispute.

The thing was at our March 7<sup>th</sup> meeting when the attorney and general services here, two things were asked from him that we would hear about at our next meeting was to see if, I believe it was from 4450, government code other facility and how that could be defined and whether the push button would fall under that on the sidewalk.

The other thing that we had asked for was that there was a—it could be shared Caltrans and DSA sharing on this, a temporary authority to work on this because [indiscernible] still on the books. It's something being written in the transition plans right now [indiscernible] done. By having a seamless transition [audio disruption], it should get into the manual. It's going to get into the [indiscernible] before it's removed, so there's nothing there that can be used to reinforce those aspects of ADA transition.

So, I was wondering when you're going to get the report from the attorney on his review of what other facilities are and about shared authority temporarily until this transition gets into the manual.

- Ida I'll have to follow up on that Gene. I did not follow up on that prior to the meeting, but I'll have to see if he has investigated that further.
- Greg Then, you could send an email out to the whole group with what he has to say so that everybody can see that. Okay. That'd be great. Anything else on this? Otherwise, are you all in agreement with this? Does everybody concur?
- Dara I certainly agree with Gene. I'm just hoping that there is a transition planned so there isn't a gap between—
- [Speaker off mic].
- Dara I request to take steps to make sure that there is a smooth transition.
- Derek Well, I would caution against making the assumption that the current level of provision of the detectable bands at the pedestrian control devices even need a smooth transition going forward. The record of consistent installation of these is abysmal across the state. They are not being installed in many, many locations, and I think in part, it's maybe due to different interpretations of law that have been discussed through Caltrans, and specifically the issue being the application of the building code to provisions within the Public Right-of-Way, not limited to pedestrian traffic controls, but well in excess of that.
- So, what we have existing is a spotty record of installation, lack of consistency and consistent messaging throughout the local and state Public Right-of-Way facility on this particular issue as well as others.
- Gene I wanted to see before it's dropped that we're [indiscernible] a transition plan that says that low vision people need to have something to hold onto until the process with Caltrans is completed, whether it goes through or not, [audio disruption] seamless transition.
- Derek Gene, are you participating on the committee on—
- Gene I'll be getting data for the chair of the committee [audio disruption]. Also, the changes that I think need to be done [audio disruption] the color, the detectable warning color, but also the texture so that the chair thinks there should be, and I agree, and there is not only [audio disruption] accurate about that. Also, it's product material defined [audio disruption] that actually implemented 60% of their pedestrian signals have it [audio disruption].
- Derek I certainly appreciate you going forward with your involvement and association with the Caltrans committee if you could keep DSA updated on the progress as well as any projected timelines for their adoption of similar requirements. Thank you.
- Greg Thank you.

Gene Overall, we did disagree on some thing here, but I do appreciate DSA's effort and what they've done over the months [indiscernible]. I do appreciate the hard work to [indiscernible].

Dara I was going to say something similar. Last meeting this year, and I really appreciate the opportunity [indiscernible] even if we don't agree.

Greg Well, if everybody agreed all the time, we wouldn't make any progress. We need these different points of view.

Dara I really appreciate, Derek, [indiscernible].

Ida I think for us we feel likewise in the sense that our collaboration has really developed further which is our goal, but it's not our last meeting.

[Speakers off mic].

Greg So, thank you, all, for that. So, the outstanding issues are coming up in August and the December meeting, and I don't know if we can try to do that now, or whether we need to do a Doodle Poll. Do you know when the meeting in August is?

Ida Our Code Advisory Committee, so first of all, the meeting that we want to have is in place in case issues arise for the Code Advisory Committee that necessitates us talking about it. This way if we have the date reserved, we can meet to discuss instead of scrambling later.

Now, also at this meeting we want to have identified those that will be cycling off the ACC so that we know what we need to do to replace you and do outreach prior to January because that's when the new cycle will tentatively start I guess. That's our joke. After our regulations, more often than not, exhaustive, we say tomorrow we start the next cycle.

Derek We're already three months behind.

Ida We're already three months behind. So, we are trying to obviously—so, that will also be discussed. There may be other items on the agenda that arise, but we do want to set an opportunity for that, and then also an opportunity in Decembers, a tentative date, to discuss looking back on the year, what we can improve moving forward.

So, there is some work where we really want your participation. Obviously, again, it may not be any further on the building standards depending on the Code Advisory Committee results. However, there is that one opportunity in August to do so. December, again, is looking back and moving forward.

So, on that, if we could just maybe—July 24<sup>th</sup> and 25<sup>th</sup> is the Code Advisory Committee meeting date. If we can maybe pin down a week or two weeks that we could target—

- Greg What would be best for you given other things going on that would—?
- Ida I have a Green Code Advisory Committee meeting on the 21<sup>st</sup> and 22<sup>nd</sup>, so I don't want those dates, but—
- Derek We need to check the availability of the facilities and maybe identify a group of dates.
- [Speakers off mic].
- Ida If anyone can absolutely voice dates that are off the table that will help now.
- [Speakers off mic].
- Ida July 24<sup>th</sup> and 25<sup>th</sup> is the Access so it needs to be after that date, so the 26<sup>th</sup> onward.
- Greg Your meeting is August—
- Bob It's August 22<sup>nd</sup> and 23<sup>rd</sup>.
- Greg Okay, so that's out.
- [Speakers off mic].
- Greg So, August 22<sup>nd</sup> and 23<sup>rd</sup> are out we know for sure. August 1<sup>st</sup> is out. Anything else obvious right now? Otherwise, we'll just do the Doodle Poll.
- [Speakers off mic].
- Gene I know the first and third Tuesdays don't work for me, and the first Thursday doesn't work for me.
- [Speaker off mic].
- Greg Okay. So, we know some dates that we can eliminate. We'll put out a Doodle with the rest, and we'll do the same for December. It's probably going to be that week of the—maybe close to the week before Christmas, so we'll try to keep it as far away from Christmas as possible.
- Dara I'm out of the country for all of December, but I can have Natasha, who's been working with me regularly on these issues [audio disruption].
- Ida It could be that maybe the agenda for the August meeting won't be as intensive if we don't have a lot of discuss and we can review then instead of waiting until December because really December is whether they're adopted or not, so there isn't much to discuss if they're not. They could be discussed following, so we can actually—I just want to keep that agenda open and reserve in case we have to discuss extensively, then we would have that opportunity.



[Speakers off mic].

Greg Well, thanks, everybody, for giving up your day. Kaylan, really appreciate you hanging in there when you can't hear well. We'll try to figure out a better system for you next time. Sorry about that.

Derek Do we have any general comments on how the technology worked today?

[Speakers off mic].

Greg How did it work for you guys, Hannah and those of you in Oakland? Did that technology work pretty well for you?

[Speakers off mic].

Greg Okay.

[Speakers off mic].

Greg So, the problem is being on the phone when you can't see everybody and the sound is poor.

Kaylan I will say I feel like today was a wasted day for me.

Ida Okay. Thank you, Kaylan, for that feedback.

Gary Hey, Kaylan, this is Gary.

Kaylan Hey, Gary.

[Speakers off mic].

Ida We'll see what the agenda entails. Right now save the date.

Greg Okay, thanks everybody.