Division of the State Architect Access Code Collaborative Meeting July 28, 2022

Brad Morrison: Okay. So, let's see here. Why don't we… Just like to welcome you all to the first meeting of this ACC. We have a full agenda today. We'll be on the screen here from now until noon. We'll do our best to get you off at that time. However, if there's something that's going on at that moment, we won't break the meeting over it.

We'll expect that people have commitments. Just go ahead and leave and we'll try and wrap it up as soon thereafter as possible, but we have a lot of content to share today. So, our first concern is everybody gets a, you know, a feel for that and is able to ask, you know, questions about it, anything along the way.

So, I'd like to, let's see here. I'd like to, well actually, let's do this. Why don't we go around the screen here and then everybody just introduce yourself really quickly and just talk about your role as part of the ACC just while you're here, something like that.

I'll start off. I'm Brad Morrison. I'm the facilitator for the collaborative here. And I'm a consultant. I've been doing this for 28 years, and I've worked with probably five or six good size collaboratives over the year in different fields. So, I'm happy to work with you all and if you wouldn't mind just indulging me here. Let's go around and just introduce each other. So…

Eric Driver: Brad?

Brad Morrison: Go ahead.

Eric Driever: Brad if I could jump in? So, we're going a little bit off the script, and I don't have a problem with that. I just wanna make sure that, I had planned on introducing some of our incoming members and then asking them to do exactly what you're asking them to do now.

Brad Morrison: Okay**.** All right.

Eric Driver: And then I believe, prior to that, Ida was going to honor our outgoing members. But in lieu of that and try to work on the fly a little bit,

I can start with the introductions of the new members. And then we can continue with the introductions of the existing members, and then perhaps Ida can honor our outgoing members following that. Would that, you think that'll work?

Brad Morrison: I think that'll work great. Thanks. Thanks for suggesting it. Eric. I'm sorry to go off script. I was just trying to…

Eric Driever: No, no, that's okay.

Brad Morrison: …get everybody situated and get us all in and ready for the rest of the meeting. So go ahead and start with that part. That sounds great. It's a great way to introduce everybody, and we'll make sure everybody gets into the, into the meeting here. Thanks.

Eric Driever: Thank you very much. So, I'll just start with myself. I'm a bit new to the process too, as, if you were online earlier, I had introduced myself to {indiscernible} for the first time.

My name is Eric Driever. I am Principal Architect over Architectural Codes and Policies at Division of the State Architect Headquarters. I'll be joining you in all of the meetings along with Derek who heads up this process for us, this rulemaking process. And I depend heavily on Derek's expertise and history of the process.

So, I'll be going along for the ride in part, but obviously I have input that I'll provide along the way too. But I look forward to it. And with that I'll just let you know that first introduction I would make is Dominika Bednarska. She was unable to attend today, but we expect good participation moving forward.

So, I'll let her introduce herself at the next possible meeting. But next up on my list is Richard Skaff. So, Richard, if you wouldn't mind introducing yourself.

Richard Skaff: Thank you. Good morning, everybody. My name is Richard

Brad Morrison: Hold on one second. Hold on one second. Hey, Gene?

Gene Lozano: Can you hear me?

Brad Morrison: Yeah, Gene, we can hear you. So…

Gene Lozano: I've been calling in the telephone and I, you're, you're blocking me from talking.

Brad Morrison: Okay, well, okay. So, we have you on, we have you on this.

If you could push your, can you, there you go. Push the audio, mute function and then that way that, because we're hearing some recording in the background. Okay. And I see you have a question, so we'll get to that.

Gene Lozano: I'm trying to talk on the telephone. How can I get into the telephone without being blocked?

Ida Clair: Well, we can hear you, Gene.

Brad Morrison: You're, I'm talking on a computer, and I don't wanna be talking on a computer.

Ida Clair: Got it.

Gene Lozano: I want to be on the telephone.

Ida Clair: Okay. So, Jessica or Katy, can you work with Gene on that?

Katy Iverson: Hey, does your, does your number start with 256?

Gene Lozano: No, it's XXX-XXX- 8307.

Brad Morrison: Do you have that?

Gene Lozano: No, I have to call it back in.

Brad Morrison: Okay.

Gene Lozano: So, I call back in now?

Katy Iverson: Yeah, we'll look for you and we'll get you over.

Gene Lozano: Okay.

Brad Morrison: Okay. Thanks Gene. Okay. I'm sorry, Richard. Go ahead.

Eric Driever: Thank you, Richard.

Richard Skaff: Not a problem. Again, Richard Skaff. I'm the Executive Director of Designing Access

Gene Lozano: {telephone noises}

Brad Morrison: Katy, I think you can mute Gene. Why don't you go ahead and do that. Okay, Go ahead, Richard. Sorry.

Eric Driever: Third time's a charm.

Richard Skaff: Okay, not a problem. Technical issues always happen. It's the Zoom glitch. I was in three positions I created within the City of San Francisco. I was a Chief building inspector. I was the ADA Coordinator for Public Works, and I was the Deputy Director of the Mayor's Office on Disability which I opened for Willie Brown.

I've been, and I opened the Marin Center for Independent Living and was the first President and Executive Director. And I have been involved with the development and writing of code, state code for about a little over 40 years. And I have been on most of the State Architects' Access Advisory Committees during that time. I've been on the Building Standards Commissions Access Advisory Committee and Building Fire. I was on three of the US Access Board Advisory Committees, Recreation, Vessel, and Public Right of Way. So, I've had some background in codes and standards.

Eric Driever: Thank you, Richard.

Brad Morrison: Sounds great. Thanks.

Ida Clair: Eric, I don't know if maybe while we're doing those introductions, they can answer the statement that we were gonna answer in the presentation as the reason why they joined the ACC.

Richard Skaff: Perfect. I apologize. I should have done that. The reason why I requested membership in the advisory group was because I believe there are substantial access related issues for the built environment which have not been met and some have been, in my opinion reduced or removed inappropriately and I would like to see an effort made to reconstruct those.

And last, and Gene knows a lot about this, there was a group that was put together through DSA that was attempting to develop standards for product related to detectable warning material. We had an outside consulting firm, UL, helping us with the testing process that we are trying to develop.

And that's another issue that I'd like DSA with the help of Caltrans and any other agency that is appropriate to reformulate that committee and complete that work.

Eric Driever: So, I'll give you a thank you for that, Richard. I appreciate it. You will be seeing some movement on that front. We have obtained funding to continue that study and hopefully finalize that study. So, we'll touch on that later in the year. But you can look forward to movement on that as well.

Brad Morrison: Next up I have Nubyaan Scott, welcome Nubyaan.

Nubyaan Scott: Good morning. My name is Nubyaan Scott. I'm a Staff Attorney with Disability Rights California. I previously worked with the California Foundation for Independent Living Centers as a Program Coordinator in our assistive technology network, and that was probably my first intro into a lot of these.

And then I was a fair housing coordinator with a place called Project Sentinel. So, I worked, focused in the Sacramento area and I got from that perspective, experience with hearing about people's issues with trying to get reasonable modifications, for the different properties that were not already accessible to them.

And then I eventually joined Disability Rights California, and I was originally a client's rights advocate for people with the Valley Mountain Regional Center up in Modesto and also the South-Central Los Angeles Regional Center. And in those roles, I was able to get acquainted with a lot of the difficulties that the IDD community or Individuals with Developmental Disabilities face when trying to access housing, especially things that make it accessible to them and different supports that can be in place to best facilitate their equal access to housing.

And I've been now with the Civil Rights Practice Group at Disability Rights California for about 11 months. Sorry, 13 months now and so in this role for the last year, I've been interacting with folks at DSA and also the CBSC in order to make public comments on a lot of these issues. And that's an ongoing part of my role.

So, I was interested in joining the collaborative to assist with moving. Things forward for people with disabilities and trying to, I think you all do really great work in trying to make California closer to the gold standard of accessibility in the nation. And I think that, I just want to be part of furthering that work and, and also communicating the perspective of the clients that I work with here at DRC.

Eric Driever: Thank you Nubyaan and welcome. Next, I have Ann Riggs. Ann, would you mind introducing yourself?

Anne Riggs: Thank you so much. I'm Ann Riggs. I'm an associate, and I'm the Inclusive Design Lead with David Baker Architects in San Francisco. I'm a licensed Architect and I'm also a Certified Access Specialist. As part of my role in my work, I've been working for over 10 years designing and building public K-12 schools and publicly funded affordable housing in California.

So, as such, I've had a lot of opportunity to work with the California Chapter 11B, and as a Disability Access Specialist and advocate, one of my just main goals in my work is to try and elevate the degree to which architects are able to design accessible spaces. So, part of the reason I'm just, I'm thrilled to be part of this group and getting to hear from such a diverse group of fantastic people.

I think the way that I see potentially my contribution as a practicing architect, you know, we're the group. I feel that we're responsible for implementing the building code and making sure that new buildings get designed to comply. And also, as a profession we have an ethical responsibility to make inclusive spaces for all people.

So, I hope that I can use my experience working to implement the code, working with architects and hearing feedback about, you know, what challenges or questions our group of professionals has. As we try and do that work, I'm hoping that I can help advance clarity and help architects do a better job of implementing the code. And also, hopefully help to join together our, our both our legal task of making sure new buildings comply with the code, but also our ethical and professional responsibility of pursuing universal and inclusive design.

Eric Driever: Well, thank you Anne. I appreciate that and welcome. Next, I have, and I'll apologize in advance if I mispronounce your first name, but Michal Healy.

Michal Healy: Thanks, Eric. Yes, I'm Michal Healy and I'm with Santa Clara Unified School District, which is a K12 school district in the South Bay Area. And I am just gonna ditto what Ann said. She said it so eloquently, but I am a licensed Architect within the State of California, and I am the Director of Planning, Development, and Design for Santa Clara School District. So, I went from designing public schools to telling the architects kind of what to design. And so, I hope to bring a little bit of that, how the codes are interpreted when we actually get down to designing.

And I'm hoping that I can provide the clarity, like Anne, of what it's like to work with the codes and deal with them on a day-to-day basis. And make sure that they're written clearly so that there's not much ambiguity, which there are in many of the codes that we have now. I think we all know that but bring a little bit of that day to day, workability. I would say my district is looking towards that universal design and every new school and new project that we do is completely universal, and we're taking that look on everything that we do. So not just wheelchair accessibility, but all different types of mental and physical disabilities and how we can design better buildings and better areas for those types of individuals and for everybody because it just makes a better design.

And so, I hope that I can provide some good feedback and thank you for letting me participate on this board.

Eric Driever: Thank you, Michal. I appreciate that. And welcome. And last, but not, least I have Timothy McCormick. Would you mind introducing yourself, Tim?

Ida Clair: So, Tim did call and say he lost internet connection and might need to, he's trying to connect back in, so I don't know if he's on the call, but if he's not responding, that's the reason why

Tim, are you on? Yeah, I don't think he's on. We'll have to probably come back to Tim.

Eric Driever: Okay. All right. Well, so with that I'd just like to welcome, we do have six incoming members.

Gene Lozano: May, May I introduce myself?

Eric Driever: Sure

Gene Lozano: Gene Lozano.

Ida Clair: Yeah, we will get, I'm sorry Gene, we are going to be introducing the existing members. So…

Gene Lozano: I apologize again.

Ida Clair: No, that's okay. I know it's a little difficult on the phone, so I appreciate that. Go ahead, Eric.

Eric Driever: So, Brad, with that, I'll hand it back to you and you can continue asking for the introductions of the existing members.

Brad Morrison: Great. Thanks. Thanks Eric. Appreciate it and welcome everybody. Okay. So, Gene, why don't we go ahead and start with you.

Gene Lozano: I do, Gene Lozano. I wish to apologize to everyone for my abruptness and rudeness, non-intentional. It just, it was frustration of been trying for 30 minutes to try to get in and not being able to find any way of doing so is just handling it. And so, I apologize. It's not a good way, good first impression.

I'm Gene Lozano. I'm a retiree. I worked for 40 years for the California State University as a Rehabilitation Counselor, in the Service Students with Disabilities Office. Worked with students on support services, but about half of my job was doing, checking the campus for its access compliance to its buildings and walkways and roadways, seeing that they were in compliance with the ADA and Title 24.

My involvement of the deal with Access goes back to 19, as early as 1972, when I, which was only about three or four years after I had lost my vision. I'm totally blind now. And, and I saw access issues that were affecting people with disabilities. Worked with coalitions, and worked on specific projects, and what, and learned the

process of getting proposals through the, which was the Office State Architect at the time. Now the Division State Architect.

And some of the things that I did work on signage, detectable warnings, and I've served on, like Richard Skaff, many of the advisory bodies, committees, that DSA has had. Served on the Detectable Warning Certification Evaluation committee, serve on the California Building Standards Commissions Access Code Collaborative, or not Collaborative, Code Committee, and many other local and state and national advisory bodies to deal with access and transportation.

I've always, my, the reason I asked and applied and got accepted for the Access Code Collaborative was not to advocate but to be involved in learning from others in other stakeholders on access matters. And I know getting, understanding that perspective and working together is very productive.

I do remember the 2000 code, DSA had an advisory body that Richard Skaff, myself served on. Jim Abrams, who was representing the Hotel Lodging Association of time was the chair and we worked out a lot of different regulations and proposed standards, and we got eventually consensus that when we went before the Building Standards Commission, all the stakeholders were unanimously in support of what the package was.

And, and that's what I can, what I've seen already for this Access Code Collaborative. And it's an opportunity to refine proposals that are being considered or suggesting they go back for work. So, it's a very positive and is a very productive process. So, thank you very much for your time. That's it.

Brad Morrison: Thank, Thank you Gene. And Gene, just to let you know, today because you're on the phone, if you have a question, just say "Brad, I have a question" and I'll try and get you in when, we have a lot of sort of discussion content and introductory information for the new members. So, I'll just try and get you in as quick as I can, but I won't lose you just as long as you let me know you have a question. Okay, Gene?

Gene Lozano: Yes, and I will mute myself when I'm not talking, just so that don't hear any sounds, and I just wanted to assure you on that too.

Brad Morrison: Okay, great. Thanks, Gene. Appreciate that. And just to let everybody else know that on this type of webcast format that we're in today, the chat is disabled.

So, if you have a question, just use your hand function down there at the bottom reactions, and just go ahead and raise hand. So just raise hand is the thing and just, we'll get to the question as soon as we can, but we might, in this case, we might let the speaker finish, the thought or finish the, conclude the slide or something like that before we kind of bring you in on the question, to raise your question.

Okay. All right. Great. Okay, let's keep going. I'm gonna go and kind of in order of my screen so I can see to make sure we get everybody. The next one up would be Gary. Hey Gary, welcome back.

Gary Layman: Welcome. Good morning, everybody, Gary Layman. I have experience since the seventies working with concrete in the field and accessibility with curb ramps off of the ANSI Standards, so have seen the development of the codes come and progress.

I have been a building official, fire marshal and numerous positions like that. I have been on numerous committees for the accessibility. And I got onto the committee to assist with that, with CALBO and to assist with the understanding of the enforcement side of it, and the writing of the code to make it easier for the enforcement and more legible for the contractors to be able to understand.

I am a licensed contractor but don't actively contract. Now I'm with the Transportation Authority, so representing the Transportation Authority and happy to be here and look forward to continuing the progress.

Brad Morrison: Great. Thanks Gary. Appreciate that. Okay, let's go up to Kaylan.

Ernest Wuethrich: Kaylan mentioned her phone's muted.

Brad Morrison: Kaylan, can you hear us?

Ida Clair: I think Jessica or Katy need to…

Kaylan Dunlap: Thank you.

Brad Morrison: Okay, there we go.

Kaylan Dunlap: Yeah. Thank you. And just to be clear, I'm an outgoing member, so is that, am I understanding that right?

Brad Morrison: That's okay. Thanks. Yeah.

Kaylan Dunlap: Okay. Good deal. Kaylan Dunlap. I'm with Evan Terry Associates in Birmingham.

So, I'm an Out of State committee member. And I don't know that I'm, I think I'm the only one, anyway. I have been representing people with disabilities on the committee. I'm a manual wheelchair user and have spina bifida, but I'm also a code user in that I'm a CASp and Accessibility Specialist.

I've been working as an Access Specialist for over 19 years now and have done a lot of work in California and have been kind of immersed in Chapter 11B and those requirements for a long time now. So, I'm really, I've always been interested in digging down into those details but have become interested in code development as well. I've served on two of DSA Advisory Task Force, Detectable Warnings and Adult Changing Facilities.

And participated in Access Boards Advisory Committee on Diagnostic Medical Equipment too. So, I like seeing how this sausage is made. I like, kinda like what Gene said, I like hearing other people's perspectives that need to be considered and kind of mesh and all that together with those technical details.

Brad Morrison: Great. Thanks Kaylan. Appreciate that. I never knew you were from outta state. I just, Anyway, welcome.

Kaylan Dunlap: Because I speak Californian fluidly.

Brad Morrison: That's right. Sounds good. Okay, next up we have Carol.

Carol Loeffler: Hi there. I am a continuing member, so I thought you were doing all retiring members first.

Brad Morrison: Carol, go ahead. Just come on in. It's okay.

Carol Loeffler: Just go ahead?

Brad Morrison: Yeah.

Carol Loeffler: Okay. Terrific. One of the things that I am really proud to have been selected back in 2008, or sorry, 2006, to be on the Building, Fire and Other Commission and the thing that was really neat and Bob, I really admired, and I enjoyed being part of that group because I'm an Occupational Therapist.

I graduated with my bachelor's from Ohio State in 1982, and then I went to graduate school at USC and graduated from that in 88. So, I have a 40-year career as an Occupational Therapist, and it's been exciting because I've worked with people from birth, neonates, all the way to death, but any age for what that death could be.

And the variety of exposures and experiences with all ranges of disabilities and diagnoses. And then I went back to school because I felt that people in the design industry weren't really taking a look at the reality of how people really function. And I had a friend who was a designer and she sort of helped me figure out that I needed to get into the design industry.

So, I graduated from American River College Interior Design Program in 2013. And while I was involved in the program and learning, is when I got involved with the Building Fire and Other commissioners, the Disability Access Advocate, and it really opened my eyes that we really had a role to play. We had a voice, and I was excited to be able, people listened to me and that was pretty cool. So, I liked that one.

And then when I saw that there was this, the Access Commission, ACC, I wanted to apply because I thought with all my experience, and then I also have multiple disabilities. I have multiple sclerosis, I have orthopedic disabilities, and I was involved in a severe traumatic accident, so I have a traumatic brain injury.

So, I can approach things from a lot of different aspects as a professional and as a consumer of the challenges. The other aspect that Richard helped me out a lot with when I was first getting going with the Building, Fire and Other Commission, but that's that knowledge that I gained from this I wanted to bring to this committee or this whole experience.

And I'm someone who's like a sponge. I wanna really hear what people have to say and I'd like to be able to grow professionally and personally in that respect and hope

that people would be willing to share their knowledge with me, both within this committee and if you wanted to on the outside, because I'm ripe for that.

I really, really like that. And then the other, the other aspect of being involved in this is just being on the cusp of what's happening and being aware of what's current and making opportunities for where current can go. And I've really enjoyed that role and hope really to be part of this actively so that it can continue and keep me current and keep everything, I love that smile! Thank you, Ida! Making everything go well. So, thanks for the opportunity. I appreciate that I'm in this as a continued person.

Brad Morrison: Thanks. Welcome back. Okay, I see, I see Tim has come in. Let's go to Tim. Hey Tim.

Tim McCormick: Thank you.

Brad Morrison: Why don't you introduce yourself and tell us a little bit about why you've come to the ACC.

Tim McCormick: So, I'm Tim McCormick. I currently serve as the chair of the California Building Officials Accessibility Committee. And so, our interests are in making sure that the regulations are clear and concise and easy to follow for our members. That's, that's the main concern. I have a background as a building official.

I served as a building official for both the city and the county in various points in my past career. I now own a code consulting company that does a lot of work on accessibility consulting for both profit and non-profit developers. So that's who I am and that's why I'm here.

Brad Morrison: Great man. Thank you, Tim. Welcome. Okay, let's see who else we have here. Veronica, tell us a little bit about yourself.

Veronica Turdean: Good morning. I'm Veronica Turdean. I'm an Associate Construction Analyst and the Chapter 11A Code Access Specialist for the Housing and Community Development. And right now, I hold the ex-officio member representing HCD.

Since I'm the Accessibility Specialist representing HCD I will inform our co-development team of, you know, all the upcoming changes related to 11B and coordinate changes with, you know, 11A so they don't conflict with each other, but they actually harmonize each other. And I think this collaboration would diminish the conflict between the code and, you know, the enforcing agencies will have an easier way on interpreting than applying the code.

Another very important reason why I applied for a position is my older son is disabled, so he has a disability. So, I have a lot of his friends that, you know, always come over. I'm around a lot of kids that have disability, so it's very close to my heart. Actually, that was one of the reasons why first time I applied for California Building Standards Commission just to work on the codes.

And I was hoping somehow, I will get to, you know, 11A, 11B, just around that area because it was always very close to my heart. And yes, I worked California Building Standards Commission also, and then they opened this position at HCD, and I

applied for it, and I was very grateful that I got the position, and I got here with God's help. So, I'm really grateful for that.

I also worked as a space planner at DGS for a while. So, I designed a lot of spaces for actually for DGS actually. And I worked for CGL, they contracted the Department of Justice. So, I designed a lot of courthouses and penitentiary in jails. So, I'm very familiar with the code and you know how everything has to comply.

I have a BA in Inter Architecture. I have an AA in Space Planning. I have a degree in Psychology and Child Development. I also used to be a teacher back home in Romania, in Pennsylvania, so I teach for a lot of years too. So, yeah. So that's why I'm here. I hope I can help, and I hope I can make things, you know, move better.

Thank you.

Brad Morrison: Great. Thank you, Veronica. I appreciate that. Let's see. Ernest.

Ernest Wuethrich: Hello. I'm Ernest Wuethrich. I'm a, I represent the CASp constituency. I'm located in Santa Rosa, so the North Bay of San Francisco. I work for an architecture firm. We specialize in public accommodation type work, new builds, and tenant improvements.

My role here is that, largely doing internal plan reviews, almost like a QA/QC kind of thing. Making sure that staff are doing things as they should. I'm also in the field a lot. I get to be, you know, when we think of the CASp with a smart level or a tape measure in a bathroom, that's me. I've been in a lot of bathrooms in my life, and it's something that I've enjoyed thoroughly.

I'm also an ICC Accessibility Inspector Plans Examiner. The firm I work for does work all across the country, so I get to see how our model code compares with other model codes. And, and so that has been something that's been great. I do rep, like I had mentioned, I represent the CASp constituency.

A big part of that is, I was, or I'm currently involved with the Certified Access Specialist Institute, which I think a few people in here have also had experience with. When I first came on, I was a, I think a Special Programs Chair. I just ended up, and it as, I'm now past president. I was serving as President.

Kaylan didn't mention, but she is currently president of CASI. So, you know the, I feel like it's been a great opportunity to try to get information that we've learned here in the ACC about potential rulemaking, trying to get feedback from other CASp's on their viewpoints, and to me that's really been what my role has developed as it relates to ACC, is not necessarily trying to help make decisions, we're a non-authoritative board.

We're not making decisions per se but getting to get feedback from other CASPs has been great. It is there, it's been all over the board. Some people really support ideas, some people just question ideas, and so again, to be kind of that conduit of helping generate feedback has been a great growing, learning experience for me.

So, I look forward to working with new people. Sad to see some folks going, but really, really looking forward to this. So, thank you.

Brad Morrison: Thanks, Ernest. Really appreciate that. Okay, so Bob, how about you?

Bob Raymer: Hey, sure. Thanks.

Brad Morrison: Come on in.

Bob Raymer: Yeah. I'm Bob Raymer. I represent the California Building Industry Association, the California Apartment Association, and two commercial groups of building owners and managers, and the California Business Properties Association.

I'm a returning member but will term out later on. And so, I'm looking for some people to replace sort of that construction rep. And, I joined, I wanted to participate sort of in an informal process. And I've been dealing with building codes, you know, fire safety, green building, energy efficiency, disabled access since 1981.

So compared to Richard and Eugene, I'm a newbie in all of this. When I first met Eugene, I had brown hair and a ponytail. So, it's been quite a while. But like I said, having an informal setting to discuss issues and kind of keep after it has been really critical in resolving some longstanding issues.

A case in point, you know, public housing. The definition had been, sort of a contentious item for decades. And then DSA's ACC came along, and Dara Schur and I, and a host of others rolled up our sleeves. Spent about a year going back and forth on this. And by the time it hit the Building Standards Commission, it got full support.

The Building Standards Commission didn't quite know what was going on. They usually expected a rather contentious fight, and they didn't get it. They were very pleasantly surprised. And so, this group really serves a good purpose and I'm glad to be a part of it. Thank you.

Brad Morrison: Thank you, Bob. Appreciate that. Okay. How about Derek, how about you?

Derek Shaw: Well, thank you very much. I'm Derek Shaw. I'm Supervising Architect at DSA Headquarters in the Access Unit. I have been with DSA for nearly 20 years now, working with code development through that entire duration and certainly we've gone through a lot of periods of ups and downs in our rulemaking, but we keep moving forward each year. I'm very happy to be here with all of the ACC members, both the members who are retiring as well as the members who are carrying on and our new members. So, I'm very happy to meet the new folks. Of course, I've developed a lot of great relationships, I think, with our retiring outgoing members as well as the ongoing existing members.

My background prior to working with the state, which now has been over 20 years, my background prior to that was within the architectural industry in private architectural offices. The project types that I've worked on over the years have been primarily commercial and institutional, including schools, hospitals, to some extent. And, anyhow, I think that that's given me a good, diverse, and very background,

leading me to my work with the state. So, thank you very much and I'm again very, very glad to be here with everybody today.

Brad Morrison: Great. Thank you, Derek. Appreciate that. Jessica, how about you?

Jessica? We can't hear you. I don't know what's, how's your audio?

Ida Clair: Jessica, we're gonna have to have you, have Jessica help you since you're…

Brad Morrison: Yeah. Jessica, why don't you work on that? We'll go to Katy and come back. Okay. Okay. Katy, how about you?

Katy Iverson: Can you guys hear me? Now I'm worried that my audio's not gonna work.

Brad Morrison: You're in.

Katy Iverson: Hi everybody. I'm Katy Iverson. I'm a Program Analyst at DSA. I'm gonna keep it short and sweet for the sake of time, but I work with Eric, primarily, but Jessica and I kind of tag team a lot of things with DSA Academy. But I'm happy to be here and meet you all and see the great work that gets done.

Brad Morrison: Great. Thanks Katy. Appreciate that. Jessica, you wanna try again?

Okay. She Jessica's great. Let me just put it that way. Jessica's great and we really couldn't get a whole lot done in this committee without her. So, let's just, you know, acknowledge that she's here and thank her for everything that she does. And that's, and I'm sure she'll, once she gets that thing fixed, she'll tell us all about, herself.

Okay, great. How about, how about Ida? Why don't we get Ida.

Ida Clair: Hi all. Many of you know me through different walks of life, through DSA and interfacing with me. Real brief, I was in private practice till 2013, came to DSA, was fundamental in the establishment of the Certified Access Specialist Institute. In my previous life as a private architect, I worked on affordable multi-family housing and came to DSA. Was its first CASp Technical Administrator, then Principal Architect, which is the role Eric Driever holds now.

And now I'm State Architect. So, I'm the first one coming from within DSA, I believe. And so, having a lot of perspective on the work that DSA does in different realms. So, I am thrilled that we are meeting again. I am thrilled that this collaborative is living and vibrant. I am sad to see outgoing members go.

Your contributions have been significant, and I'd like to, we'll be discussing the charter again, just to tweak it if anyone needs to tweak it a little later today. But that charter presently allows for all of you to return once you've had a term off. So, we hope you continue to be engaged because your input has been valuable, and we'll recognize each one of you in just a moment.

I wanted to also mention that our collaborative work has really set the stage for other collaborative work at DSA. This was a formal trial in some ways, you know, reset, of

engagement with the disability community and all our stakeholders. And it was a long process to get where we arrived.

Our work that's formed by the charter really sets the stage for our engagement and our mutual respect in collaboration, and we have now taken that, and the work that all of you have done on the collaborative to other aspects of DSA. We have a Public School Construction Collaborative.

We've also taken it to Building Standards Commission. We now have an Electric Vehicle Work Group, which is a collaborative, and we have the CALGreen Carbon Reduction Collaborative. And all of them have been moving ahead because everyone understands their role, everyone understands the expectation, and everyone is important in the engagement.

So, thank you because through this we were able to address this in other realms of the work that we do and you're a big part of that. I am participating on the Access Code Collaborative really as a member of DSA. I no longer lead this group. That is Eric's role as Principal Architect, and we're happy to have Eric.

He's extremely talented and has stepped into this role and has been doing swimmingly. So, thank you, Eric. And also, of course, Derek's stewardship, which we are all very familiar with. And the code and his capable hands. So, the two of them will be leading this effort. I will be participating in commenting as a member of DSA because access is one of my passions still.

And so, I wanna continue to be involved. Other than that, I think, Brad, are we, at the point right now where we are gonna be honoring our retiring members?

Brad Morrison: I think we are. I was just gonna, just see if Jessica had audio and just give her a minute to introduce herself.

Jessica Axtman: Can you hear me now?

Brad Morrison: There we are. Okay, great.

Jessica Axtman: All right. Quickly, I'm Jessica. I've been with DSA for a while, and so I was lucky enough to be with the Access Code Collaborative before it even started. I am sad to see the members terming out, but I am really excited to get to know the new members coming in. Thank you.

Brad Morrison: Thanks, Jessica. I appreciate that. Okay. I'm gonna give it up to Eric here, can let him come back in here and, and sort of bring on the next step, but I think that's time for our honoring our outgoing members. And we're a little bit, advanced in our time in terms of the agenda. So, we'll do some figuring here and get back on track.

But just to turn it over to Eric here for the next step. And Eric, anything else you wanna tell us about yourself, being that you're the leader of the group now.

Eric Driever: There you go. I appreciate it. So, couple of quick tidbits I have. I am a CASp member of CASI, AIA, of course. And, prior to working with DSA, I was in Real

Estate Services Division doing design and managing their accessibility program within state facilities.

So, and prior to that I was in private practice as a school architect and was CASp certified then as well. Not too much about that, but I definitely want to try to get us back on track in terms of time. So, Ida will be honoring our outgoing members so that I'll turn it over to Ida.

Ida Clair: Thank you, Eric. I have the honor of saying an official goodbye to you all because we started our journey together. And so, I asked Eric, can I do this in this role? So, Jessica, can you bring up the certificate? You will all be receiving, the retiring members will be receiving a certificate of, from DSA, of appreciation of your work on the Access Code Collaborative.

It will be coming to you in the mail. Hopefully you'll all have a nice, pretty fabulous frame that you can acknowledge for your work. And, we just want, we are very pleased to be presenting this to you. And this one, obviously Rosemary is not here today. Rosemary Barker is a retiring member. She has joined us since the beginning of the ACC, and we thank Rosemary for her participation. She represented individuals with disabilities.

And so, I'm going to go through now and acknowledge those who are retiring. I believe Kaylan. Kaylan, oh my gosh, Kaylan. Kaylan has been my person.

Kaylan Dunlap: Ida.

Ida Clair: I know. If there's anyone who is committed to the work that DSA does, that is not within DSA, I think Kaylan demonstrates that.

And so, I really appreciate it. I appreciate your work with CASI as well. Obviously, that's near and dear to my heart. And I know that not only did you engage with us and bring greater depth and understanding and perspective because of your knowledge of the work you do nationally.

I know that we also connected you with Ernest in some way, and now you all, they have an Instagram feed of Access Nerds. And if anyone, if you guys don't subscribe, I recommend you do because they bring a lot of wisdom. And, in some ways wisdom and levity, right? Oftentimes as to what you're trying to highlight as deficient in the environment in access. So, I'm making a plug for you because I enjoy yours and Ernest's effort on your feed.

But thank you for your work with us. We're sorry to see you go. We know you'll continue to engage in our rulemaking process. That's what we hope for all of you who are leaving, is that you continue to engage, even though you're not in the Access Code Collaborative, so that we can increase this voice. So, Kaylan also represented individuals with disabilities. So, thank you for your work, Kaylan.

Vidal, who…

Kaylan Dunlap: Thank you for the opportunity.

Ida Clair: Absolutely, absolutely. Vidal who has not been able to join us today, is comes from Fresno and he also is, I believe, a director of an independent living center in that area. Vidal was representing disability advocates and we thank Vidal for his work.

Gary. Gary, where are you? Thank you, Gary. We've interfaced a lot through CASI as well in your role as in representing code enforcement officials through your various hats that you wore. I will tell you that Gary participated even when he was the building official at Oroville and the dam broke, and I mean, he had some challenging times while he was on the ACC and yet still made engagement a priority.

And so, Gary, I appreciate your participation and look forward to your continued involvement and just in the code development process. Did you, I just wanna make sure that you heard me, Gary.

Gary Layman: So, thank you very much and it's been an honor and a privilege to work with the ACC group, with yourself, Derek, Kaylan, and Bob.

Just been an honor to work with all of you and an educational experience as well. And sharing our knowledge and experiences is what helps provide a better code. So, thank you very much and I will be involved for a while.

Ida Clair: Good to hear it. Thank you, Gary. We also have, Soojin Hur who is not with us today. She represents facility owners, and we thank Soojin for her participation.

And Lewis Springer, who represents design professionals. Lewis Springer did a lot of engagement with the AIA in reaching out and getting their feedback. So, he was a really good design professional representative because he, I saw his efforts of engagement of others through emails and notices through other means. So, it was good to see that engagement.

We thank all of the retirement members again, we welcome you back at some point, if you're interested in participating again and to put in your application. But and we've already done the please share through our introduction, so I'm going to pass this back on to Brad.

Again, I thank you all. Welcome all the new members. I hope that the perspective brought to you by the retiring members, reinforces why you are here and inspires you as well to move forward to work with us. We have a lot of work that we need to do presently, and we're excited to get started. So, thank you for all of you who are new to us and joining us.

I'm going to pass this back to you, Brad. Thank you.

Brad Morrison: Thanks. Ida, well done. Thanks. Thank you all, the members that served. It's been a pleasure to know you and I'll especially miss Lewis's divergent opinions. He was always so, so nice, but he always had like an opinion that was slightly different, but he had a very nice way of presenting it.

So, and you have some big shoes to fill, but I think you'll do well. Okay. Katy, could you push up the slide? That's the purpose of the ACC. And we'll start with our, sort

of, this is sort of an introduction to some of the content that we'll be delivering today. But you can see the purpose here and just wanted to make it clear before we started this out that the purpose of the ACC as a collaborative is really to bring your consultative efforts to offer feedback on DSA new and proposed amendments for disability or accessibility regulations.

And you can see that, some of the key words here is that this is an advisory group, but we're also a collaborative. And the whole idea is that we work as a collaborative to see that we can develop solutions and push those solutions forward in the process, which is a long and extensive process that goes through many agencies of this state.

So, you can see this from your role. I think your work here as many of the members have said, the work here is very important and will show up in terms of, you know, improved accessibility and improved building codes. So, we have several more slides coming up here and what we'd like to do is probably just kind of move on to them as we can, and we'll take a break very shortly at 10:15 or so as we go forward.

But what I'd like to do, let's see, can we, let's bring up the next slide, the participants.

And I think, one of the things that we can see here is that this represents you all pretty well, that you reflect, you know, a range of experience with code change. Represent a broad spectrum of stakeholders. That you're capable and committed to working collaborative. I, I hope so. We have, we have some more information coming on that today, but I, I certainly hope so that, that you'll bring the best of, of yourselves to this collaborative and that you're able and willing to engage with your constituency groups.

And that just means to check out with the folks that you represent and that you work with and see what their opinions are and bring that feedback back to the group. Because that's a very important part of the role, is to really sort of complete that circle and bring in the perspectives of others that you talk to that you may not necessarily agree with but that can enrich the understanding of everybody else that's part of the group and commit that information to the discussion so that we're able to really kind of end up in a better place at the end of the process.

So, let's see. Let's go on to the next slide, what we have that should set us up for the rulemaking. And for this part, I'd like to turn it over to Ida and Eric to see if they could lead us through the next several slides. And I'll step back in as and watch the time and kind of let us know how we're doing as far as the break goes. Okay.

Katy Iverson: Hey, Brad?

Brad Morrison: Yes.

Katy Iverson: I'm sorry to interrupt. Before we move on, I see Richard has his hand raised.

Brad Morrison: Ah, great. Just came up. Yeah. Great. Richard?

Richard Skaff: I apologize. I know you wanted; you have a timeframe that you need to get this done in. I, my question relates to the slide for the purpose of the AAC

which says the consultative group to offer feedback on the DSA new and amended proposed accessibility regulations.

My reason for wanting to be on this advisory group was to bring the needs that haven't been met yet to DSA to create code and standards that will respond to those needs of the disability community across the board. It's not for one disability or another, it's an across-the-board need.

We have had a number of years where we lost code. One of them that's very clear to me because I created a guideline document to give to restaurant owners who are not code officials, is the issue of the loss of accessible dining banquet and bar tables. That's just one example. So, I'm hopeful that Ida, you, and your staff will allow for the discussion and development of codes, or changes to existing code.

Like the tables and chair, tables in restaurants that we lost, and there are many others. I'm just, as I say, using that as an example. I'm hoping that this, the purpose of the AAC includes that. And thank you for letting me speak. Appreciate it.

Brad Morrison: Okay. Richard, no need for an apology. You did a great job.

And that's exactly how it would probably be the best way for us to handle. It's maybe at the end of a slide or sort of a juncture like that. So, I think it was great. It's a great question. I'm confident that that new information can be presented, but I'm gonna let either Eric or Derek kind of respond to the question as best they can. Okay.

Ida Clair: Absolutely. So, thank you, Richard for that. And yes, I mean, there's always, anyone can offer code change proposals that they don't have to be a member of the ACC but engaging with us to do so when you are on the ACC is important as you will see. So yes, you can make code change proposals and we can discuss them.

I just wanna make sure that when you're doing the training today, it's understanding that what we can do in this code cycle and what perhaps may need to be addressed in a future code cycle. And you will have a little bit of understanding on that today because of the process that we're in that's very deadline driven and time driven.

I also want to let you know that we are, we have been a little short staffed at DSA as of late. We had a retiree and then someone who had some family issues and needed to leave us on our access code team. We have replaced one but not the other. And so, we do have a new member joining us in September.

Eric, no August? August. And so, we also need to get her up to speed. And so, our timeline as we will be discussing for this code cycle is a little bit condensed because we need to have regulations discussed with the ACC and advancing by, to building standards by December one. And so, I just wanna put a little bit of perspective on, once you do the training today, you'll understand a little bit more why.

And so, if you're bringing something forth for discussion, that's a new regulation, we may need to like, discuss it further in our process for the next code cycle if it involves very extensive research or discussion. So, I just wanted to be a little realistic on the

work that we have to do this month and next month to prepare for the intervening code cycle.

And we will be presenting regulations that we know need to be addressed, either statutorily mandated or, there are other regulations that are occurring in other aspects of the code that affect interpretation of the access code that we feel it's urgent to address. And also, to respect that our short staffed may prevent broader goals during this intervening code cycle.

But that, as we connect together that we can discuss our work as it proceeds from this code cycle, but also in the next code cycle. So, I just wanted to set a little bit of an expectation, and I know that you have issues that you need to discuss, Richard, and I'm not saying we're gonna wait.

I'm just saying that we need to discuss those more thoroughly, probably early 2023 with you and engaging with us prior to bringing it to the ACC and have those discussions. But I just wanna also set the expectation that by December 1st we need to progress with some statutory requirements as well as clarity regulations.

And so, if you have something we can see if it's something that can be accommodated in this code cycle, but if it involves a lot of research or discussion or development, then we will, we set the stage on what we can accomplish in a rulemaking cycle with our staff because we know the work of the rulemaking that needs to happen.

So, I just, and so that might become a little clear after the training today as to the why when we say that'll need to be the next code cycle or that can happen in this code cycle, just so that an expectation is set. Thank you.

Eric Driever: Thank you, Ida. Yeah, I would just, Richard, you'll see a little bit more clarity. I would echo everything that Ida said. You'll see a little bit more clarity in the collaborative at the end of the agenda this, or towards the end of this meeting. But and we'll have an opportunity to make sure that, that that's clear for everybody and if necessary, make changes to the charter, as appropriate.

So, with that though, in terms of the training, I'm gonna lean, as I said heavily on my expert, who is Derek. And so, Derek's gonna be presenting both this portion and that portion following the break, the rulemaking portion of this presentation.

Derek Shaw: Okay. Great. Thank you, Eric. As we go through the next series of slides, most of them are text-based slides. A few of them are graphic based slides. So, as we go through, I'll be describing the graphics. And so, I think with that let's, let's go ahead and jump in.

I'm gonna be addressing, first of all, the Division of the State Architect's role throughout the code writing and amendment process. Sometimes we use the term rulemaking process, and really, we mean the same thing. Those are synonymous.

If we could go to the next slide, please.

DSA has authority to develop and propose building standards for accessibility. We have this statutory authority. Statutory just meaning that the legislature proposed and

passed the bill and that the governor had signed the bill into law. So, we have lawful authority to write building code. We have it actually under two primary sections of statute. First of all, under the Government Code section 4450. That gives the State Architect the authority to develop and submit proposed building standards to the California Building Standards Commission for approval and adoption for making building structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities.

Additionally, this authority under Government Codes section 4450 is applied generally to governmental types of buildings. And so of course this includes state buildings, city, and county buildings. It also applies to schools as well and so those are the primary groups of project types that our authority under Government Code Section 4450 address.

Our other primary authorities are under Government Code Section 19955.1C. And here, this authority is to address DSA authoring, developing, and submitting, proposed building standards for public housing. Now, public housing, we as Bob had referenced in his introduction, the public housing definition has recently been amended, but in essence, and maybe this is just the glib shorthand for it, but public housing is housing that is made available to the public and is part of a government entities program for housing. So, that's our other authority under Government Code. That authority is established in parallel with the department of Housing and Community Developments authority. Their authority, however, is for all other types of housing besides public housing.

So, we work very closely with HCD, that's Department of Housing and Community Development. We work very closely with them as much as we can to harmonize our accessibility requirements so that code users who are referring to chapters 11A and 11B are able to, as much as possible, rely on consistent, technical requirements under those two chapters.

Next slide please.

Okay. So, kind of an overview of our authority to write accessibility regulations. We have the authority to write the accessibility regulations for the built environment for public accommodations. The public accommodations are privately owned buildings or facilities that are available to the public. Commercial facilities, a much broader term. Sometimes, there's a lot of overlap between commercial facilities and public accommodations, but commercial facilities, applies to where commerce occurs. Okay?

So, it need not rely on the availability to the public in order to be regulated by DSA's accessibility regulations. As I mentioned a moment ago, public buildings, those are the governmental types of buildings. And then finally, public housing within the State of California.

Just to be absolutely crystal clear, the Division of the State Architect is a regulatory agency. Not only do we prepare to develop and write accessibility regulations, but we also, much like a building department, we enforce the regulations for state buildings, public schools, K-12, kindergarten through 12th grade, community colleges, and, at the CSU and UC systems for accessibility.

You know, where do the ideas, the good ideas for accessibility regulations, where do they come from? Well, they come from a variety of sources. They come from executive action. You know, if the Chief Executive, the Governor of the state issues proclamations, or orders, then our regulations may be premised upon that executive action, legislative mandate. As I mentioned, our authorities are addressed by legislation, but also the legislature.

From time to time, we'll find the need to address particular elements of the built environment that require accessibility. Now, in some cases, the legislation that comes from that is maybe broader or more narrowly defined than we would have under our general authority.

But nonetheless, DSA responds to those legislative mandates. Additionally, we respond to, next slide, please. We respond to a demonstrated need, either identified internally by DSA, or proposed by others. Now, we receive proposals from advocacy groups. Both advocacy groups for disabled accessibility, but also advocacy groups for business owners and other governmental entities of course.

Our regulations for accessibility that are in the building code are enforced by not only DSA and other state agencies for limited jurisdictions, but also by local city and county building departments throughout the state. All told, I believe we have in excess of 500 different enforcement jurisdictions throughout the State of California.

So, with that and recognizing that each of those jurisdictions has exclusive authority to enforce the code within their jurisdiction, and recognizing also that within each individual jurisdiction, that their interpretations of the code may differ from other jurisdictions, DSA seeks to achieve the highest level of consistency that we can primarily by having a robust public process for our code development and proposal and adoption process.

But also, for being sure that our language is as clear as possible. We generally find that unclear language leads to the greatest variety of interpretations, both by the code users and the building officials. Okay. DSA is required by building standards law to evaluate the impact of the accessibility regulations on all stakeholders.

We do this on an ongoing basis, and we certainly engage with our stakeholders to gain more insight from beyond DSA offices to gain more insight into the impact of our building standards. Okay. And, as I mentioned a moment ago, DSA is only an enforcement authority for public schools, K-12, community colleges, state buildings, CSU, and UC.

All other buildings and facilities are enforced by other entities. Usually, the local building department.

Next slide, please.

Okay, now we're gonna move into the code development process.

Brad Morrison: Hey Derek? Derek, I think this is probably a good, this is, 10:15 and it's probably a good time. It's actually a little bit beyond that, but it's a good time to probably have our break.

Derek Shaw: Okay.

Brad Morrison: And then we can come back and get into this section when everybody has, is refreshed a little bit. So why don't we take this break and since we're starting a little bit late, why don't we come back, how about we come back at 10:35? Okay? 10:35 we'll start up again and go into the code development process.

Does that sound okay with everybody in the group?

Derek Shaw: That's great. Thanks, Brad.

Brad Morrison: Okay. All right. Okay, let's do that. Thanks.

Kaylan Dunlap: Brad? I'm gonna sign off here and thank y'all so much and I'll see you on the flip side.

Brad Morrison: Sounds great. Thank you, Kaylan.

Ida Clair: Thank you, Kaylan. I did want to let you all know, and Kaylan, I apologize for not doing this earlier. Our retiring members have already participated in this training, and we understand that they may not be joining us back. You're welcome to stay, but we understand all of you may not be joining us when you return. So, thank you again for your participation on the Access Code Collaborative. We really appreciate you and hope to see you soon.

Thanks.

Brad Morrison: Okay. 10:35. Thank you very much everybody.

BREAK

Brad Morrison: Looks like we have several people not back yet, so we'll just hold off till we sort of get a critical mass here. Here we go.

Eric Driever: Katy, perhaps a visual reminder by removing the break slide would help.

Brad Morrison: There we go. And there, we should probably get about three or four more members back here before we start, so hold on just a minute or two if you just bear with us. There we go.

Eric Driver: Perhaps in this sort of dead airtime, I'd like to, I'm noting a number of attendees outside of our membership. So, I'd like to just to take a moment and acknowledge and thank all of those who are members and, or sorry, members of the public and attending the meeting. Really value all input at all levels. So, thank you for your attendance in today's meeting.

Brad Morrison: Thanks, Eric. It's very thoughtful. Looks like we have about 18 members of the public participating in addition to our panelists at 17.

Okay, well in the interest of time, Derek, I'm gonna suggest that you start and, we'll just kind of move the presentation along right now, just cuz I don't wanna wait too

much longer or else we'll end up with less time than we already have and we're already running a little short. Okay?

Derek Shaw: Okay. Sounds real good. Okay. So, let's go ahead and move on now to the code development process portion of this presentation.

Next slide please.

Okay. This next slide is a slide that gives us the timeline for the code development process. This is one of the graphics-based slides that I was mentioning earlier so I'm gonna describe this in a little more detail.

What we have here is a timeline that addresses the 2022 Intervening Code Adoption Cycle. Now, this code adoption cycle addresses amendments to the 2022 California building standards code. And it's specific to the supplement that has a July 1st, 2024, effective date. So, you see right now we are working nearly two years ahead of the effective date of the items that we're going to be working on.

So, a lot of times you'll hear us refer to an 18-month cycle. That's in one sense, that's very true. The codes are issued every three years and midway through that three-year duration of each designated edition of the code, for example 2019, 2022, California building code. For each edition of those, midway through all of the state agencies have an opportunity for an intervening code amendment.

And so, these are changes that typically come in halfway through that three-year life cycle for each designated code edition. However, the state's work begins before that 18-month cycle starts, and it continues on past the designated end date of that 18-month cycle. So, where we are right now is, currently we're in, we're conducting pre-cycle activities.

The actual start of the intervening cycle is scheduled per this timeline. It's scheduled for December of 2022. Prior to that, that's when the state agency conducts its pre-cycle activities. Typically, these are workshops conducted by either state agencies singularly or in combination with other state agencies if they are developing identical or similar language.

So that state agency, the pre-cycle portion of it for state agency workshops has been going on and is scheduled to go on throughout 2022. With the state agencies, DSA, submitting our initial submittal of proposed code changes in December of 2022. Following that, then there is approximately two months of time where the Building Standards Commission is receiving all of the state's initial submittals.

They are collecting them, collating them, organizing them, and preparing to publicize them in preparation for the series of Code Advisory Committee meetings. Now there are several Code Advisory Committees under the Building Standards Commission. These, the Code Advisory Committee meetings, those committees are under the California Building Standards Commission. That is the state agency to whom DSA and all of the other state agencies that are proposing or adopting codes, that is, we submit our packages to the Building Standards Commission, in preparation at this point for the Code Advisory Committee meetings.

Those meetings are scheduled to occur during February and March of 2023. And so, I know that quite a number of folks are familiar with the Code Advisory Committee meetings with several of our collaborative members having sat previously on one or more of the Code Advisory Committees. Thank you, Carol and, and thank you Bob, for that.

So then typically the Code Advisory Committee meetings are where the state agencies initial submittals are made available for comments from the public as well as comments from the committee members. So that is one of our first opportunities to hear in a fairly, wide reaching venue, to hear public comments for our initial proposals. Typically, those code committees are separated by the discipline or the topics of the code change proposals. Ours for accessibility, there is a Code Advisory Committee for accessibility, and that's the committee under which DSA access proposals will be heard.

Then, following the Code Advisory Committee meetings where DSA has received the comments from the public and from the Code Advisory Committee members, then DSA we go back to the office, we review the comments, we conduct additional research and where the comments support amendments to our initial submittal, or initial proposal, then DSA will refine our code proposals, typically, during that time right after the Code Advisory Committee meeting.

And that's leading towards our next submittal date. Now, per the timeline, between March and May of 2023, DSA will already have had our 45-day submittal, submitted to the Building Standards Commission. They publicize those initial submittals, or the 45-day submittals, and we will receive in this portion of the timeline, the 45-day submittal portion, we will receive public comments on our revised 45-day submittals. And again, similar to after the Code Advisory Committee meetings, DSA then takes the comments from the public under consideration.

We will assess them to see if they warrant amendments to our code change proposals and we will make those amendments where they warrant them. Occasionally, now it doesn't happen very often, but occasionally we may, by this point in the process, we may find that our code proposal might not be appropriate.

And if for example, if we receive public comments that identify a big deficiency in our proposal, or if some comments reveal some aspect of our proposal that we had not yet considered and had not anticipated, we may withdraw our code change proposals. The state agency, DSA in this case, we can withdraw our code change proposal at any time. And while we generally have a very good reason when we have to withdraw them, we are not required to justify our withdrawal to the Building Standards Commission. If that occurs, we have on occasion withdrawn our proposals at the very final stage of the process, the public review and commission meeting process.

But that's just an aside. Let's continue on with the timeline now. So, we have the 45-day submittal process period, and we receive the public comments. And then we will make our response and revisions and we will then resubmit a final code change package of documents to the Building Standards Commission.

And those are in preparation for the code change proposals from all the various state agencies to be heard before the Building Standards Commission. Now, the Building Standards Commission has the highest authority on the code change process, and they provide final approval to code change proposals for which they support and for those for which the commission does not support. Usually, it's based on public comments either by the stakeholders, the effected users, the enforcing agencies, or just generally from the interested public. So, the commission will then, the Building Standards Commission has a set series of dates typically, for their commission meeting.

Those are generally scheduled on the timeline to occur in July and August of 2023, and so recently the commission meetings have been three-day meetings. There's a lot of agencies and a lot of code change proposals that they need to review and make available to the public for comments. So that may be up to a three-day meeting typically.

Okay. So, during each of those meetings, the commission is voting to approve or to in some cases send back for further study the proposals. When they send them back for further study, they're sent back to the proposing agency for further study and the agency can make amendments and bring them forward again, either later on in this cycle or in a subsequent code cycle.

So then, for all of the code change proposals from the various state agencies that are approved by the Building Standards Commission, then the staff of the Building Standards Commission gets to work, and they start the publication period for the code change proposals that have been approved.

This publication period is scheduled on the timeline for between August and December of 2023. During that time, the Building Standards Commission is communicating very closely with the several code publishers and so that the code publishers can develop their initial drafts of the next standards additions.

Okay. And then comes the actual publication date. This is when the publishers have done their drafts. They've sent their various drafts back to the Building Standards Commission who work with the state agencies to proofread these drafts, make sure that all of the new changes to the code have been incorporated properly and additionally to double check and make sure that no other previously incorporated code requirements have been accidentally amended, sometimes through the publication process that occurs. But there is a separate process to address that. Correct it.

Okay. So, the publication date for the amendments to the 2022 under the Intervening Code Adoption Cycle, that publication date is set for January 1, 2024. And at this time, each of the publishers will have sent out what are typically recognized as blue colored sheets from the codes. And each of the code users then swaps out the old initial pages from their codes and they put in the blue colored sheets, which are called the supplements to the codes. Okay. So that is gonna occur in January of 2024.

Under California statute, the publication period is required to be 180 days. We generally round that out, it's off to six months. But between the publication date and

the effective date, the state law requires that we have a period prior to the effective date of the new code changes where the public can become familiar with them. You know, the publishers are now starting to send out the amendments to the codes to all of the code users. And the code users are getting familiar with the provisions and they're preparing for the effective date of our new changes, of July 1, 2024. So, why would the architects and engineers need to be thinking about the effective date of the new codes? Well, upon the effective date of the new codes, then all submitted plans need to comply with all of the new current code requirements.

Okay? So if an architect or engineer is going to be submitting plans and their project, package is ready to be submitted near the end of the prior code cycle, or near the beginning of the next code cycle, you can see where they may find it advantageous to either submit their submittal to the local building official, building department, prior to the new effective date of the new code changes, if that suits their needs, their purposes, or if the new regulations that will be effective after the effective date of July 1st, 2024, they may want to delay their submittal a little bit so as to make sure that it is submitted under the new regulations. That's something that's outside of the control of DSA or any other code enforcement jurisdiction. However, we're all aware in the enforcement side of things, we're all aware that that does happen at these points when the new codes become effective.

Okay. So, I think with that we can move forward to the next slide. Actually, Brad, if you don't mind, maybe we can open it up for any quick questions.

Brad Morrison: That would be great. I'm looking through the tiles here to see if anybody's had their hand raised but I don't see any hands.

But are there any questions anybody has concerning the code development process? If there are, this would be a great time. But not seeing any. Okay. So, let's move on to the next slide. And if you do have questions, just raise your hand and then we'll probably get to you at some juncture where we can kind of feel the question best as possible.

So, go ahead. Go ahead, Derek.

Derek Shaw: Great. All right. So then on the next slide, this slide covers the nine-point criteria which is a very important factor in the code development process. These are our nine criteria that are, nine criteria that are set into law, California State law, and these guide every state agency that's proposing regulations. And it also, in the approval process for the Building Standards Commission, these same nine-point criteria must be considered by the Building Standards Commission when they're reviewing and deciding whether to approve or not approve code proposals.

So, I'll go through these pretty quickly, but the first of the nine-point criteria, The proposed building standards do not conflict with, overlap, or duplicate other building standards. You know, here I think it's important to understand that a difference in code requirements, you know, let's say for example under different chapters of the California Building Code, that a difference in code requirements are not necessarily a conflict, but they're just two separate requirements that need to be met.

I tend to refer to them as overlapping requirements; those which are not in conflict with other requirements in the code. We, at DSA, we tend to view conflicting requirements that establish a situation where a design cannot comply with both or all of the applicable requirements simultaneously.

So, you can see that if that's the case, then we have a conflict among the code requirements and that becomes a code problem. However, if you simply have non conflicting overlapping requirements, even if they have slightly different requirements, you can still find good design solutions that will comply with all of the applicable requirements. Okay. You know, I use the term overlapping somewhat differently I think than the statute does. Maybe I should pick a better word than that.

But nonetheless, the second of the nine-point criteria is that the proposed building standards are within the parameters established by enabling legislation and are not expressly within the exclusive jurisdiction of another agency.

Well, not only DSA but every other state agency that proposes code typically does so under the authorities. I had mentioned DSA authorities under Government Code 4450 and 19951 I think it was. But other state agencies have their own comparable authorities. And so, this second of the nine-point criteria is so that one state agency is not proposing code proposals that are outside of their authorities.

The third of the nine-point criteria is that the public interest requires the adoption of the building standards including but not limited to; health and safety, resource efficiency, fire safety, seismic safety, building and building system performance, and consistency with environmental, public health, and accessibility statutes and regulations.

Okay. So, I think this is fairly direct and straightforward, but under the nine-point criteria this item essentially says that there has to be a public interest that requires the adoption of building standards. You know, everybody has, well, a lot of people have good ideas about changes to the code, but we have to make sure that the code as it's adopted and when the proposed amendments are adopted, we have to make sure that this actually serves the public interests.

Okay. Moving on to the next of the nine-point criteria, number four says the proposed building standards are not unreasonable, arbitrary, unfair, or capricious, in whole or in part. And this is a standard of appropriateness for a lot of legal dictates or requirements. And in this case, it's proposed, it's applied to the proposed building standards. We wanna make sure that the building standards are fair to everyone and that they're not arbitrarily developed by the code, by the state agencies that develop code proposals.

Okay. Further, the fifth of the nine-point criteria tell us that the cost of this assures that the cost to the public is reasonable, based on the overall benefit to be derived from the building standards. Okay. So as part of the code development process each of the state agencies, DSA included, we have to do an economic and fiscal analysis of our package of code change proposals. And we have to identify where there is a cost or savings that's associated with the code change proposal. And, in the case where there is a cost to the public, we have to make sure that cost to the public is reasonable based on the benefits that are derived from the building standards. Okay.

That, that makes sure that the public is not burdened with unreasonable costs being applied to their projects.

Number six of the nine-point criteria is that the proposed building standards are not unnecessarily ambiguous or vague, in whole or in part. Well, this is very important. I mentioned it a little bit earlier in my presentation, but the clarity of the code language is very important to make sure that all of the code users, both the property owners, the designers, architects and engineers, and the building officials, can understand the codes and apply them as consistently with the state agency's proposals. They need to be able to apply them as consistently as they {indiscernible}.

Next slide please. Okay. The seventh of the nine-point criteria is that the applicable national specification, published standards, and model codes have been incorporated into our proposals where appropriate. This is broken down into two subparts. A - if a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission. Okay. So, under this possibility, then the state agency, in this case DSA, we would in the case where we did not utilize a national specification, published standard, or model code to address the goals of our state agencies code amendments under development, then we need to make that reason known to the public.

And so that's why in this subsection, we would be required to provide a statement defining the inadequacy of the national specification, standard or model code. And typically, we would also describe not only the inadequacy of it, but why the other language that we proposed is superior to the national specification, standard or model code. Okay. Now…

Brad Morrison: Derek, we have a question from Carol.

Derek Shaw: Okay. Can we wait until the end of the slide, please?

Brad Morrison: Sure. Yeah. Carol we'll wait for the end of the slide. Thank you.

Derek Shaw: Thanks. Okay. So now the second part, the second possibility under criteria seven of the nine-point criteria is designated B, and it says if there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard. So again, this is in the interest of open disclosure to the public.

We wanna make sure that or hear, the state law wants to make sure that we recognize the absence of a national specification, published standard, or model code, and prepare that statement to inform the commission and the public. And typically, this statement would be accompanied by the reasons why the proposed code change is being provided in lieu of a national specification, standard, or model code. Okay.

Now the eighth criteria under the nine-point criteria is that the format of the proposed building standards is consistent with that adopted by the Commission. Okay. That's,

that's, the format is typically has to do with the organization of the chapters of the codes, and that the proposals by the State Architect and other state agencies, fits within that organization of the codes. Also, to a finer point, within each chapter there are sections provided within each chapter. And these sections are typically based on the model code that's adopted not only by the state, but also by other states and jurisdictions throughout the country, throughout the world, truly. But nonetheless, we wanna make sure as state proposing agency for code changes that we blend and harmonize with the standards in format.

And then finally, the ninth of the nine-point criteria is that the proposed building standards, if they promote fire and panic safety as determined by the State Fire Marshall, have the written approval of the State Fire Marshal. Now, the State Fire Marshal is the primary, the lead agency for issues of fire and panic safety. That's generally recognized under state law and the State Fire Marshal conducts their business accordingly. So, what this ninth criteria is describing or requiring for us is that we communicate with the State Fire Marshal.

We provide the State Fire Marshal with an early iteration of our code changes that are under development. As soon as we have it nearly wrapped up there may be some other fine points that are still yet to be applied, but when we are really sure as a state agency that we pretty well know what the requirements in our code change proposal package are gonna be, then at that point, DSA will send to the Fire Marshal a copy of our draft proposed building standards along with the request that they review and provide written approval if they approve, or provide a written explanation of why they might not approve. Now, generally we work very close and in coordination with the State Fire Marshal.

So, I can't recall any time that DSA access code proposals were declined by the State Fire Marshall. But nonetheless, this is a very important part of the gatekeeping process for the development of codes and assuring that they work well within the overall set of codes.

Okay. I think with that Brad, I can certainly address any questions.

Brad Morrison: Okay, let's go, Carol. Thanks, Derek.

Carol Loeffler: I thank you very much for accepting my question. It's a two part. One of the things that I did want to verify, or make sure that if I'm soliciting feedback from people in the community, do I, when I present that, then have to address which of these nine-point criteria Is the suggestion relating to? Or am I just giving the suggestion as I'm talking about the code?

Derek Shaw: Well, I would think that most of the time as you're engaging with your constituents, that the conversation is probably going to be most focused on the benefits or detriments that may come about from the draft code proposals at that time. I think it's important to understand that DSA as a state agency proposing codes, our code proposals are required to meet every single one of these nine-point criteria. So, discussing whether it does or doesn't meet each of the nine-point criteria, that might be a good conversation for people who are a little more intimately familiar and engaged in the code development process.

But a lot of times the people you might be communicating with may not be code users, but rather they're users of the facilities or the elements that are being regulated and so, facility users may not have a good clear understanding even of what the nine-point criteria mean. But nonetheless, I think more people who are more involved in the code development process might be interested in the nine-point criteria.

Carol Loeffler: Well, if I'm presenting it, if they're telling me what they'd like me to address and I'm presenting it, as I present it am I supposed to identify which of the nine it would fall under, or is that after it's presented and discussed and reviewed?

Derek Shaw: Well, the nine criteria points are not intended to be selected from and applied to particular code proposals. So, DSA we do not say hey, we're gonna develop this regulation based on the third criteria. We're not, we're never gonna say that because we have to meet criteria's 1, 2, 3, 4, all the way to nine. We have to meet 'em all.

So, this now sometimes, and Carol you probably have run into this in your work with the Code Advisory Committee, and the Building Standards Commission, we see it there as well, sometimes agencies code proposals will fail at those review levels. The proposal may fail because it conflicts with or runs contrary to one of the criteria, but DSA and other state agencies, we aren't picking out one of the nine criteria ever to develop our code under. We have to meet them all.

Carol Loeffler: Right. It's not in developing it, but whether or not it has to be presented. When someone brings an idea to me and says, you know, these are the things that are really concerning, like exactly what you were saying, the things that affect the users, do I, when I present that as their concern, have to bring it up as that it is impacting one of the nine-point criteria from the consumer, the user.

Derek Shaw: Well, there's nothing wrong with having that part of the conversation. That's okay. The Access Code Collaborative does not put that requirement upon you.

Carol Loeffler: Okay, Perfect. That's what I wanted to know.

Derek Shaw: Okay. Yeah. Your discussions probably will take whichever course you and your constituents choose; however, you choose to engage.

Carol Loeffler: Okay, great. Thanks. That was exactly the thing. Whether or not it had to be presented when I present their comments. As long as I know it doesn't have to be and we're just presenting and discussing, then I'm okay with that. And then I understand how, when you're selecting any changes, you would have to identify where the change might be with the nine-point, and I remember at the tail end of when we were going through everything, if anything wasn't addressed and why we said no to something was because of one of the nine-point criteria. And then we had to site which one it's…

Derek Shaw: Yes.

Carol Loeffler: Okay, perfect.

Derek Shaw: And that's an example of what I was referring to as a code change proposal failing based on one or more of the nine-point criteria.

Carol Loeffler: Perfect. Thanks for the clarification for me. I appreciate that.

Derek Shaw: You're welcome.

Brad Morrison: Great. Thanks Carol. And next up we have Eric with a question.

Eric Driever: Thanks Brad. Not so much a question and I think actually my point was made. I think the reason we're bringing up the nine-point criteria is so that you can be mindful of this as we progress through. DSA, of course has, as Derek mentioned, the statutory requirement to ensure that all code proposals that make their way through the process up to Building Standards Commission meet the nine-point criteria. But we're not placing that as a strict requirement on you to convey to your constituency. It's something just to be mindful of as you're discussing things.

Brad Morrison: Great. Thanks. Thanks, Eric. Thanks for the clarification there. Okay, Derek, go ahead. Next slide.

Derek Shaw: Okay, that's great. Okay, so, I did make a brief reference to this a little bit earlier, but in the co-development process all the state agencies, DSA included, need to conduct an economic and fiscal impact analysis. The key provisions are in Government Codes Section 11346.36, for assessing the benefits and costs of proposed regulations. We do that by assessing the non-monetary benefits such as the protection of health and safety, the prevention of discrimination, the promotion of fairness or social equity. Those would be issues that we would assess.

Also, we would be determining the impact of a regulatory proposal on the state economy, the businesses, and the public welfare. And we would also be determining the cost of enforcement and compliance to the agency and to the affected business enterprises and individuals.

And so, it's this deeper level of study of the code proposals and specifically the aspect of the fiscal and economic impacts that we as a state agency have a responsibility for documenting and publishing within our code change proposals. Next slide, please.

Okay. So, where do the code change proposals? Where, what's the source? Where do they come from? And again, I mentioned a little earlier, a lot of people have great ideas for code change proposals. We receive and hear about a lot of them pretty regularly. And some of them are, you know, very much meat and potatoes kind of requirements. They address a narrow but problematic aspect of the existing language of the code. And so, we might receive a proposal or a suggestion to amend the code to address that deficiency. So that you know that that could come from a variety of sources even in that circumstance.

It may come from a state legislative. We had, let's see, when we initially incorporated the 2010 ADA standards as the model code for Chapter 11B of the California Building Code for accessibility we had, excuse me, I think we had proposed and

developed the adoption of the federal language that was addressing the accessible route to elevated press boxes at sports facilities.

Okay. Our prior language or requirements under the California Building Code did not have an exception for elevated press boxes. However, the ADA standards, our new model code did have an exception. We were proceeding along and not including the exception. We had a desire to provide the greater level of accessibility. However, the legislature wrote a bill, and it was signed into law that required almost word for word that we apply the same provisions as were included in the ADA Standards for Accessible Design. So, in that case then, the source of that code change proposal we would've identified that as the state legislature, and we amended our proposal accordingly.

Changes to Federal Standards. That's another source of code change proposals. For example, the 1991 or 1994 ADA Standards for Accessible Design. Our code requirements were based on those federal requirements between approximately 1994 through just after 2010. In 2010, the US Department of Justice adopted the updated version of the 2010 ADA Standards for Accessible Design. And, and so then in subsequent rulemaking cycles, we at DSA were amending our existing requirements to address and incorporate the federal requirements.

So, the next potential source of code change proposals is stakeholder initiated. In other words, it comes from code users. Maybe code enforcement, building officials, maybe architects or engineers, or really any other stakeholder that is impacted, whether it's benefit or detriment from our code requirements. These stakeholders, we provide a DSA standard form. It's called DSA Form 665. We provide that to assist stakeholders in collecting their ideas about code changes. The form helps them to provide some of the substantiation for their code change suggestions. And it helps DSA to then take that, the substantiation, the rationale, as well as the specific language that has been submitted by the stakeholder.

It helps DSA to then understand the proposal more thoroughly as well as prepare some of the required documents that we need to submit as part of our code change proposal. You know, for example, one of the items on the DSA form 665 is to describe the benefit of the proposal.

Well, so the stakeholder who is suggesting the code proposal will describe the benefit as they understand it and we will quite frequently include as part of our rationale, we will include typically those benefits that are provided by the stakeholder, within our rationale that's submitted to the Building Standards Commission. So, the DSA form 665 helps, it helps the stakeholder to organize their thoughts and be specific, and it helps us as the agency to understand more thoroughly the proposal and to assist us with preparing our submittal documents.

Okay. The next, potential source of code change proposals is staff initiated. So, we at DSA, we talked to a lot of stakeholders, a lot of code users, code enforcement officials, and people who generally use or can benefit from the accessibility features that are regulated under Chapter 11B, and other parts of the California Building Standards.

And so, in that kind of hub of the communication wheel, we hear about a lot of potential issues that come up. And so, a lot of times then we will, just from the staff, even if we haven't received a particular stakeholder-initiated code change suggestion, we will prepare a proposal based on the testimony, the information that we've received previously.

Another source, potential source of code change proposal is technological advancements. One of the big issues from a few years back that we addressed here is the technological advancement in elevators. You know, certainly elevators have been around for, oh, I don't know, 75 or a hundred years now, and we've had accessibility provisions in the California Building Code since the 1980s. However, a newer assembly of controls for elevators was subsequently developed. And this goes under the general designation of destination-oriented elevator controls. And in this newer advancement of elevator controls, it's a lot different than simply going to the door of an elevator and pushing the up or the down button that's alongside of the door, and then getting on the elevator, whichever door opens up, and then along with everybody else, and then going up the floors, stopping at every stop where somebody has indicated that they have a desire to get off the elevator.

Well, a destination-controlled elevators use a different method of assigning specific elevators out of a bank of elevators to respond to the elevator user's request. Now in under destination elevator system, the elevator user will select which floor they want to go on from a control out in the lobby. The first thing they see, they don't push an up and down button right next to the elevator, but instead they go to a different kind of control panel, and they say they want to go to the eighth floor or the 43rd floor. And with the destination-oriented elevator system, the technology can then quickly analyze where each of the elevator users wants to go, and they will group the elevator users who want to go to nearby floors. So if different elevator users have selected that they want to go to floors 42 and 45 and 48, and other elevator users are maybe selecting that they want to go to floors eight or 10 or 12, then you can see where the destination oriented system could group the request to go to floors eight, 10, or 12, and direct each of the code users of the elevator users to that one elevator car.

And then for those users who wanted to go to the upper floors, the 40, 48, 49, and then can direct those elevator users to a different elevator car and by grouping them for the similar destinations, then the elevator equipment can be used more efficiently. People can get to their destination, more quickly.

And so that's a good example of technological advancements. DSA went through an extensive development process to write access code that responds to the method of using the destination-oriented elevator systems.

Okay. And then another potential source of code change proposals is petitions. Of course, petitions are a more formal request typically from a stakeholder to make a code change. The stakeholder-initiated process under the DSA Form 665 is a very informal process. And it works quite well. It's very effective. The petition process is a more formal process. It's actually established under state statute. So, it's described pretty thoroughly and there are more activities that DSA has to engage within when we receive a petition. But the end result is quite similar for whether it comes from a stakeholder-initiated code suggestion or from the petition process.

The end result is that DSA as the state agency, we analyze the code change proposal from the outside out and we agree to continue the development of that. And, you know quite often we will deviate from the initially submitted suggestion, whether it be under the DSA form 665 or the petition form. We, as DSA, we will make the language as good as possible and move forward from that. So, you see the end result is still quite simple. So, could I have the next side please, Katy?

Okay. So that's the potential sources of code change proposals. So, in that process, what is the demonstrated need? Well, we have a need for clarity. And I've mentioned this a few times, so I won't go into it in any greater detail. But we know that clear regulations lead to better enforcement and better required accessibility.

What else has demonstrated need? We have a need for scoping. Now scoping in the regulations identify the accessibility required to frequently used elements where the federal standards do not adequately address things. So, scoping a lot of times we think about that in code writing as how many of an element are required or where they're required, or what percentage of an element is required. We kind of consider those to be scoping issue issues.

And, in parallel with the scoping issues, we develop what we refer to as the technical requirements for that. So, once we've determined how many and where they need to go, then we look over typically to the technical requirements in the code to understand, you know, how big they have to be, what are the dimensions, weights, what their capacities need to be. So, these are more technical issues and those are the technical requirements. That's how scoping and technical requirements interrelate.

And then thirdly, the demonstrated need can be a need for enforceability, or it is a need for enforceability. We need to write the regulations so they can be enforced by the building officials, the enforcement entity. It really doesn't do anybody any good whether it be the facility user, the designer, the state agency like DSA, or the code enforcement officials, if the code requirements are not enforceable, then the code, requirements are not likely to be incorporated into the designs and the benefits that could be are lost. And so that's part of the issue for clarity and for enforceability. Next slide, please.

All right. We have…

Brad Morrison: Derek, can I just let you know, we have about 20 minutes left and we're gonna dedicate that 20 minutes to your portion of the program here. So, I just want you to go ahead with that idea in mind, recognizing that you can get it all in in that time period. And that'll leave us about five minutes at the end just to discuss some ideas about future meetings and what to do with the remaining agenda items.

So, I just wanna let you know that, to let you, kind of guide your work as you move through the slides. Okay?

Derek Shaw: Okay. That's great. That's great. And I will move through as efficiently as we can. The next one is more of a graphical slide. This one describes in graphics what the ACC's, the Access Code Collaborative's role in the pre-cycle activities is.

So, as we just described, we start out with good ideas, the good ideas that have a demonstrated need. As we addressed in the last slide, these go through DSA. DSA analyzes these code change suggestions and proposals. And then as we're analyzing and developing them, then we come to the ACC, the Access Code Collaborative.

And here we get feedback on the ideas. If the proposal has been refined a little bit more, we'll get feedback on the more refined iteration of that. Then that feedback is considered by DSA to potentially amend the code proposal to refine it, make it better. And then DSA follows that up with public outreach to help make the public aware of what we're seeking to achieve at DSA with our code change proposals. And through that process of public outreach, DSA gets feedback from the public sometimes. Then we bring that feedback back to the ACC again to further discuss the code change proposal, and the potential refinements to it. And this part of it, of the ACC's role in the pre-cycle activities, this is graphically displayed as a loop.

This loop, that's cycling between the Access Code Collaborative and DSA and public outreach. So, this proposal refinement is getting benefit from all three of these sources. And the proposal is getting better with each iteration. Once DSA feels that we've addressed all of the issues and comments that we can. Then DSA, we exit that loop, and we formalize our proposal which is then subsequently submitted to the Building Standards Commission and heard by the Code Advisory Committee as we described earlier when we were considering the code proposal timeline. But as far as the pre-cycle activities, where we are right now in that timeline if you'll recall, this is how the pre-cycle activities operate. Okay. Next slide please.

Okay. So, once we exit the pre-cycle activities, then we move into the formal rulemaking cycle. And here the Access Code Collaborative's role is described again graphically as follows. We have the benefit of receiving the comments from the Building Standards Commission, BSC Code Advisory Committee that we just described from the last slide.

DSA receives those comments from the Code Advisory Committee. We consider those, we will take the comments as well as DSA thoughts on the comments. We'll bring those back to the Access Code Collaborative for further discussion and input from the ACC members. DSA then takes that input and discussion and likely will be refining the code proposal. DSA then will conduct additional public outreach and seek public comments on that refined iteration of the proposal. And it may come right back to the ACC again to take a look at the refined proposal. This part of the graphic is again described in a loop among the ACC, DSA, and public outreach. With the code proposals being refined within each iteration, once DSA is satisfied with the refined code proposal, then we exit the loop and we prepare our finalized submittal document to the Building Standards Commission, which is then ultimately voted upon by the commission and either approved or not approved by several means.

If it's approved, then the code proposal is incorporated into regulations, and it gets published at some time a little later on depending on the calendar. Next slide, please.

Okay. So, as an example of code development proposal language, I'll go through this pretty quickly, but in code development proposal we utilize written language. We're

required to do so by building standards law. The requirements for the written language will, excuse me, the requirements for the written language will generally start out with identifying the current code language, if there's any, within the California Building Code, typically. And, so that we know what the current code language is, we will then designate amendments to that current language as we're developing the suggested text of the proposed amendment. And in doing so, we use a few different type styles, or fonts. So, for existing language of the code that is not proposed to be deleted or to be supplemented with new language, for existing language of the code, we will have that in straight up text.

They call it Roman text but it's in contrast with italic text, which is the leaning text, Italian style. And so, the straight up text without strikeout or underline is existing text from the model code. The italic text with no strikeout and no underline is existing California Amendments to the code. And then, whether it's applied to the straight up Roman text or to the leaning italic text, where we see a horizontal line through the text, that designation is that the existing text that is shown with the strikeout, that's the horizontal line, the strikeout, that text is going to be proposed for deletion. And then we also may have text that's underline text, and the underline text is proposed new text that is proposed for addition to the existing language of the code.

Okay, so strikeout designates proposed deleted text. Underlines designate proposed added text. Okay. So, typically also DSA prepares documents that we share with the public, that will indicate what the code text will look like if the suggested proposals, strikeouts, and underlines, are adopted.

You know, what does it look like if everything is approved? And so that's what we see in the third section of this. Here, we no longer see the strikeout and underline. Anything that was proposed to be deleted has been removed from this version of the paragraph. Anything that is proposed to be added has been added, but the underline has been taken away so that the casual reader can read what the code text would look like if the code change proposals are adopted. And then finally, the last section of the document that we typically prepare for the public to review, and these are by the way in addition to the statutorily required documents, the rationale is required in our statutory required documents, but we also reproduce it within our separate attachment documents which will show the three-part method of showing the progress from the current code language through the suggested text and the example of the code text if adopted.

Okay. But the rationale is simply the reason, you know, why is DSA proposing the changes that they are? And that's what we have to clearly communicate within our required code change documents. And we duplicate that in our appendix, or our attachments, excuse me, our attachments, so that the readers can understand the rationale of the proposal as well. Okay. Next slide please.

So, what questions do we consider in the code development process? Next, slide please. So, these are questions that are considered by DSA primarily since we are the state agency with the authority to develop and propose code change amendments. If that proposal from DSA staff, we still are asking ourselves the same questions, as if the proposal had come from uninterested party or from the legislature or from the facility users. We ask ourselves one, is it an enforcement issue? Is it an operational issue or is it a regulatory issue?

Typically, we do not include operational issues within the code requirements. Now, operational issues could be understood as, you know, when the tenant in a tenant space or when the employees of a commercial facility when they are working within the space that has been constructed under the building code requirements.

When they're working there and they're operating on a day-to-day basis, there are certain operational issues that they deal with on a day-to-day basis. You know, what time does staff come in, what parts of the facility might be open at particular times. In general, these are issues that are not able to be addressed in the design of a new building or the design of an alteration to an existing building.

The architect may not be intimately familiar with it. And furthermore, the contractors who are going to be constructing either the new building or the alteration to the existing building, the contractors are completely separated from the day-to-day operational issues. So typically, operational issues are not included within code requirements. When we receive or when we're considering a code proposal, we will check to see if it's an operational issue. And quite frequently those proposals that address specifically operational issues and no others, we typically do not advance those.

However, where we do find that the question or the proposal is about an enforcement issue or a regulatory issue, now these are issues that can be addressed by the designers and can be addressed by the building official that has to review the project documents, the drawn plans, and the specifications. So, enforcement and regulatory issues are really where the code addresses these kinds of issues. And so, we wanna make sure as the state agency proposing code amendments, we wanna make sure that it's consistent with the way the codes work, that it's typically an enforcement or regulatory issue. Okay.

Now there are other methods of being able to even address some of those operational issues. So, point 2 here on this slide, can advocacy or training produce the desired result to address the need? Well, for operational issues, the advocacy or training process can very much support those kinds of operational goals that code, that the public may want to address in the buildings, even when they're outside of the strict regulations of the building code. But additionally, advocacy and training procedures can very much reinforce the code requirements regulations, as well as the amendments to the code requirements and regulations. By helping to clarify the intent and the application of the codes and code changes here, it reinforces the enforcement regulatory side of things.

Okay. So, and then the next consideration that we have with at DSA among staff is will the code regulation actually address the problem? And that's a, you know, that's a fundamental need for any code changes. Can the regulation be enforced? Again, back to enforcement. If the regulation can't be enforced, then we're not likely to advance those proposals. Will the regulation create unintended and potentially negative consequences? Well, this is where staff needs to think outside the box.

We have to think not only of the intent that the code change proposal starts with and that it's developed under, but also what are possibly unintended interpretations of the language under consideration. And as you can imagine, unintended and potentially

negative consequences are usually outside of what we intend in developing code changes.

And then finally, is the regulation reasonable to all or impacted in part that's addressed under the nine-point criteria, but generally staff also considers that. Next slide, please.

Okay. So here we describe the decision-making process at DSA. It's graphically, so, I'll do a description. Is the issue already addressed in the building codes, yes, or no? If it's addressed, we can stop right there, and we don't have to address or develop new building codes. If it's not addressed adequately, then we would ask the next question, would a new code regulation address the issue, and can the regulation be enforced by the building department? If the answer is yes to that, then DSA could continue with the code development process. If the answer is no, then we may refer the issue to other outside collaborators. For example, the CCDA, the Department of Rehabilitation, or through an education process.

Next slide, please.

Brad Morrison: Derek, we have about a minute so go ahead and just do this one as quick as you can, and we'll get to scheduling.

Derek Shaw: Okay. Well, that's real good. I think we may be moving into the next section here on how we collaborate. And these, I would hand it back off to you, Brad.

Brad Morrison: Okay. Thank you very much. Okay, great. Yeah, just given the time we've come up against our deadline and just given the time we have left, it seems that'd be best for us to look at spending the next few minutes just discussing how we're gonna take our next steps together.

I think this particular piece here, we have it as part of the presentation that you all received, so you have the information, but we can include it in as part of our charter discussion when we get to that in our next meeting. I think that's probably the best way for us to proceed. The other thing that we can do is to incorporate the collaboration component in with the charter discussion because it's in there as well.

And we can look at maybe how this committee operates different from others that you might have been on, particularly in the search for consensus as our primary decision process. So, all these things we can discuss at the next meeting, but what I'd like to do is take the remaining couple of minutes and just tell you the steps we're gonna take to get towards that.

First of all, you've all been invited to participate in a Doodle poll. Doodle is a software program that helps scheduling and it's very helpful for groups to look at all the options for meetings and to choose the one that's best for them. So, you'll be getting a Doodle poll and I suggest you get used to it. It's very user friendly and if you have questions, please don't hesitate to reach out to Jessica or Katy or even me if you'd like. Any one of us can help you to kind of work through your options on the Doodle poll. But that gives us the basis of information, and we're trying to be inclusive as possible when we consider dates for the next meeting.

Some of the ideas that we're looking at or for a September meeting, and then also possibly a December meeting. So, we're looking in there. The options are gonna be in the Doodle poll, including others. And you might see more… Eric, if you have a question come on in, or a question or a comment, any kind.

Eric Driever: Just, thank you, Brad. I appreciate it. And Derek, thank you very much for a very thorough presentation. I really appreciate it. So, just a bit of clarity, we did not have consensus on the previous doodle poll, so we're looking at expanding our next meeting opportunities. And so, there'll be a subsequent Doodle Poll sent out by our LMS, managed by Katy and Jessica.

Additionally, we're looking at adding a secondary meeting, most likely in November. So, there will be some November dates and opportunities for a second meeting for this code cycle set of meetings. So, we're trying to get those out in front of you as early as possible. I would suspect Katy or Jessica, you can tell me if I'm wrong, but that Doodle poll can be, will be sent out today?

Jessica Axtman: I just sent it out.

Eric Driever: Great.

Brad Morrison: Excellent. Carol. Carol, do you have a question?

Carol Loeffler: I just wanted to make sure because I responded to one for September 22nd. So, what you're saying is that's not, I don't need to keep that open. It's, there's something new that I'll be receiving,

Brad Morrison: I believe so. Can Katy, Jessica, can you clarify what's in the next poll?

Jessica Axtman: The email I just sent out has, there's gonna be two new link Doodle poll links.

The first link is some additional dates in September. And then the second link is for some dates in the end of October, early November.

Carol Loeffler: Okay. So, we respond to both of those Doodle polls?

Jessica Axtman: Yes.

Carol Loeffler: And does that mean that we would have two more meetings or we're just responding to them?

Jessica Axtman: It's for two separate meetings.

Carol Loeffler: Okay. Thanks for that clarification. Appreciate it. And I got your emails.

Brad Morrison: Okay, good. Okay. So, let me offer this opportunity for anybody else that has any other questions to raise 'em now. What we'll do is I'll think of our next steps as something will move forward to our next meeting.

So, work with us on getting those scheduled. And we will carry on this discussion in the next meeting along with our other duties as part of the ACC. So given that looks like we're at our time, so I'm gonna propose that we end the meeting. I'll turn it over to Eric, to see if he has any other final comments to make.

But I thank you all for your participation today, hanging in there. We had a lot of content. This proposal is yours and I think as well, we'll give you a link to the meeting video so you can go back and see if there's any other things you need to clarify with this information here.

But thank you all for hanging in there. Eric, would you like to add any final comments before we leave the meeting?

Eric Driever: So, it was a pleasure to meet everybody. I'm really, really looking forward to this code cycle and subsequent code cycles and working with the ACC in a very collaborative way. It is high on my priorities, not only for accessibility, but for all the other portions of the architectural codes that we're responsible for. So, I greatly look forward to the opportunity working with you. Appreciate the great attendance we had today. Look forward to future similar attendance and just want to thank you, Brad, and all of our staff for all the hard efforts that go into making these meetings possible and for your attendance. Thank you very much.

Brad Morrison: Okay. Well thanks everybody. That concludes our meeting. And look forward to seeing you all at the next one. Thanks, Derek, for hanging in there and working with us. We'll give you more time at the next meeting, I promise.

Derek Shaw: Thanks, Brad. I'll try not to take as much time.

Brad Morrison: You're good. You're good. It was hard part to get through. Okay. Take care everybody, and we'll see you soon. Okay.