



## STATE HISTORICAL BUILDING SAFETY BOARD

### **MINUTES of the REGULAR BOARD MEETING Held in Conjunction with the Annual CPF Convention Catamaran Resort Hotel 3999 Mission Blvd., San Diego**

**May 17, 2001**

Revised, 11/15/01 per 9/25/01 Board Action

#### **1. CONVENE BOARD MEETING**

Dan Chudy introduces Roberta Deering, Executive Director of the California Preservation Foundation. In her address to the board she welcomes everyone to the conference and congratulates Tom Winter on his newly appointed position as Executive Director for the SHBSB.

##### **1.1 Call to Order.**

The meeting is called to order by Chair Dan Chudy. He suggests to the board that they speak clearly and loud enough so that when Mary transcribes from the tape she will know whom the speaker is.

##### **1.2 Roll Call.**

Each member present states their name and what organization they represent.

Bill Batts -  
Alan Dryfuss -  
Steadie Craigo – Department of Parks and Recreation  
Debra Denne' – California Council of Architects  
Dan Chudy – California Building Officials  
Tom Winter – Executive Director, SHBSB  
Richard Hastings – California League of Cities  
Fred Turner, Alternate – California Seismic Commission  
Joe Hall - California Chapter of the American ? Association  
Loring Wylie - Structural Engineers Association of California  
Michelle Ridgeway - Office of the State Fire Marshal  
Jeff Samudio. - California State Historical Board Resource Commission

Dan Chudy states for the record that there is a quorum.

#### **2. Introduction of new Executive Director**

Tom Winter addresses the board. He imparts his thanks for the privilege and challenge of his new position. He provides a brief background of his career in architecture.

**3. Minutes**

Minutes from the February 13, 2001 regular meeting were distributed and a motion was made for approval. All eyes, no nays.

**4. Request for Consultation – Benbow Inn, Garberville**

By a show of hands, a committee was formed to review the request. A motion was made to move that the board grant the Executive Committee (not clear from tape what was said). The motion was seconded. All eyes, no nays.

**5. Old Business Old Business**

Max Factor Building Appeal Decision – See supplemental minutes for this item.

**6. New Business**

**6.1 Eureka: ADA and CHBC, Senator Wes Chesbro's district office - May 10, 2001 meeting**

Tom Winter on behalf of SHSB was invited by Sen Chesbro to attend. The meeting was with the chamber of commerce, approx. 100 people. A rep from DOJ, Wash DC was there. Mike Thompson, U.S. Rep office brought her out. She did most of the meeting. Tom provided impute on the Historical Building code as it applies to historical bldgs and access. The upshot and reason I am reporting this bit of info is the situation up there has gotten to the point this lawyer has everyone so afraid of being sued. The cost of representing yourself in an ADA lawsuit that people has been settling out of court with no access provisions being made at all. is. Under that situation anyone who would want to apply the alternative historic bldg. code would be subject to that kind of a lawsuit even though its written and if using alts that the local ADA access group you really still totally liable to that kind of an action. The HBC is being ignored. No way to formulate a standard that is totally a measurement of things that can be used in a court of law or by administrative purposes. Something MM is aware of and he hopes we can work that out in the new codes for access.

MM wants certified accessibility experts - licensed ADA consultants to come in and certify bldgs and defend what is done.

A discussion ensued on this topic.

Eureka has been reticent to move forward on their accessibility. Use outreach program

Steady has brochure in the works for this situation. Will be ready in 2 or 3 months. DPR will print it. Steady explains the process between using the CSHBC and process through ADA.

## 6.2 Budget Change Proposal – Fiscal Year 2002/03

The BCP to fund SHBSB program, which includes the Executive Director position, plus a half-time AGPA position has gone forward to Agency.

## 6.3 Other projects

Tom refers to an Excel hand out, which shows a chart of listed SHBSB Projects currently on his desk. This chart consists of both old projects that have been on the desk for a long while and new projects. Tom anticipates to keep this information posted on the web site, which is [shbsb@dgs.ca.gov](mailto:shbsb@dgs.ca.gov). He would like correspondence to the board to come to this web site instead of to his own email address. This will help to keep board business from getting mixed up with agency business.

## 7. Comments from the Public

CALBO and CPF put on a joint SHBC training seminar. The speakers were excellent and it was very well attended.

Meeting on June 25<sup>th</sup> to talk with Mayor on what's happening in the City will be presented to us at next meeting.

## 8. Next Meeting

Discussion by the Board set the calendar for SHBSB meetings until the end of the year.

September 25, 2001, 10 a.m. – Architectural Examiners' Board Room  
December 6, 2001, 10 a.m. – Architectural Examiners' Board Room

## 9. Recognition of the 25<sup>th</sup> year of service to California by the SHBC and SHBSB

9.1 Comments from Board Members – see attached

9.2 Presentation of Awards

9.3 Comments from Past Members and the Public – see attached

## 10. Adjourn Formal Meeting

Attachments

## Recognition of the 25<sup>th</sup> year of service to California by the SHBC and SHBSB

Alan Dryfuss

Everyone who has served on the board during my ten years has brought an enormous amount of contribution. (Voice too soft to pick up)

Dan Chudy: I would like to know who has been on the board the longest?

Me: 25 years - since the beginning. (I think it's Richard Hastings)

CD: Wow!

Me: The most memorable time was when we were writing the first code Chapter 13 which was the accessibility chapter and HolLyn D'Lil and Clarence Cullimore and I were doing that. I was the moderator between these two. (much laughter) That was a real knock down drag out fight and it went on for a few months. We tried to get the chapter written and when we started writing the next update a number of years later, I went back to read the originals notes on 13. I tried to figure out what the heck did we say there. It was such a difficult thing to try and decipher what was being said. I'm sure glad we rewrote that whole chapter.

Deb Denne: Richard, I've been on the board 15 years. What I felt was fabulous was I learned HolLyn was disabled and she went out and got wheelchairs for all the board members and took them through Old Town Sacramento. I think that probably after that occurrence she had a lot greater say on issues because the board gained a lot of respect for her and decided she was a force to be reckoned with. A smart lady.

RH: Both HolLynn and Culli were coming from very good positions but they were diametrically opposed in the final objective that they were looking for. They did finally work it out but it was a case of 4<sup>th</sup> of July every time we would meet. It was really very interesting.

DC: Any other comments from some of the old timers?

??: I've been on the board probably 21 years. I remember an interesting process that happened is when the board went from an appeals board to mandatory (voice to soft to pick up)

DD: I discovered in the records ? and ? and I had an arrangement to put the case studies out. I went through years and years of files, papers, and I discovered that this board was originally mandatory.

??: Mandatory for state buildings.

DC: Joe or Joel.

Joe or Joel: I will say a few words. I came on the board about the same time Joe did – about 21 years ago. I was a lay person so to speak with no design experience so it was a learning experience. I had a side experience which was phenomenal in the middle of my period – an earthquake. It was fascinating all the things that came from that earthquake in Northridge. I learned a couple of things. First of all we should restore before an earthquake because afterwards no matter how much your heart says it's difficult to do. We had buildings where we

worked with owners who refused to do it. The second thing that was wonderful about it is when these events happen your whole city structure changes. You have an emergency mode and everybody does his or her thing. I used to get calls from people – you can say this/you can say that -- well you really couldn't. We came down to our last building – the Cooper House. We had to go through a process to determine – with a sea of emotions and drama, whether we should tear down this building or not. The building was badly damaged. So I picked up the phone and reached out to a lawyer All of a sudden I got a call (end of tape and I can't find the ending to this monologue)

Stede Craigo: I think I started with this board back in '77- even then we were working with ADA. At that time we were providing access for – or we were saying handicap and we've learned a lot since then. We are still dealing with ADA – providing access for people with disabilities. I've watched the code go from being permissive to now mandatory – so very valuable and important function of saving historic buildings in California. Even at this time its like a Bible - the only tool we have for saving historic homes on a state level. It's extremely important. And it's been a wonderful almost 25 years working with the board on this. I've been honored over the years to play a role with it. I've seen this code and this board mature – very good functional working relationship. When Culli started working with Ray – that was quite a team (much laughter). Those were some fun years. This code is extremely important. I think it needs to be recognized as real important impact for California preserving historic buildings. You've all done a great job.

??: I would second what Stede just said. Back there in the mid '70's, I was a member of the Structural Engineers State Seismology Committee which essentially did the Blue Book that became the ?? provisions of the UBC. One day I got a call about a meeting in Sacramento - Parks and Rec was having regarding historic buildings – one of the issues was seismic. That was the start of all this. Ray Gir who was our chairman for many years – he had been the historic architect at the State Capitol so he knew all the senators and contacts that would pretty much dictate all the legislation. The initial thing that we were mandatory to state agencies hard to get their attention. Alternate code to all other jurisdictions. Not an easy code to follow because you have to use judgement. Building Officials wanted prescriptive. Then it became a big sales pitch. Between code and Ray, I 'm not sure we created big wheel or....Ray was really dedicated. IT was his interpretation of this "law" that he essentially created that it superceded all other state law. Culli was he chief lieutenant. It all worked out very well after a lot of hostility. When it became mandatory we had to have the code rewritten, and about that time they cut all our budget and we floundered for years. We went years without meetings because we had no budget. So we finally got things back together and got the code rewritten.

DD: I think John Henderson should be mentioned. John was a part of the original team. He was the counter balance. A logical person who really brought a balance to the board in those years and because he did it so well he deserves to be mentioned when we go through our memories.

??: Also John Merit, one of the advocates on our board. That's how I got here. He called me up one day and said nobody from your chapter seems to be interested – would you. I said sure.

SC: The person here who has filled the shoes of Culli is Bob Mackensen. He has done a terrific job and is a very dedicated person for historic preservation. He's done a wonderful job. I think he was a good missionary working with building officials, developers, architects, engineers, and property owners – presenting the code and finding solutions. He knows how to find the right solutions to make everyone happy. He does a very good job of promoting the code throughout the state. I'm sorry he's not here. He's in South Carolina. Now he is working

as a retired annuitant for the Office of Historic Preservation. He is definitely still active and very much involved in historic preservation.

RH: I always liked the phone message when you called Culli and there was the SHBSB and the Emergency Gas Valve (laughter).

Deb: He would always get a credit accounting for how much of his hours during the week went to the Gas Valve.

?: Another observations that has allowed us to mature is the fact a lot of the local areas developed landmark commissions or boards or activist groups to carry the banner -- (voice to soft to pick up more) --- we've been able to step back and get out of political mode and do our technical job.....

Deb: I would like to congratulate our founding father for one other item. The code has traditionally been used by certain disciplines and this board is comprised of a broader range of disciplines. As a landscape architect, I tend to be under conditions of approval or design regulations. But there are not a lot of codes that necessarily refer to my work, and I think that the original landscape architects on the board were very significant individuals in my field -- and I'm grateful that that the founding fathers -- Ray Girvigian most notably -- really felt strongly that when you have existing property you need to include the whole range of disciplines as opposed to just construction.

DC: Let me wind it up as probably the least senior member. I've only been here for maybe 12 years. As you guys talk about 25 years, I'm thinking -- man, I was still in grade school. No, I'm not that young! I think my first education to this board -- I was on CALBO's historic code committee -- I think someone is the chair of that now. I was shuttled up here to Sacramento to have a meeting with Jud Boies -- wasn't he executive chair for awhile -- and he said don't say anything and pulls out a tape recorder and starts it before he says anything -- I don't think I said a word the whole meeting. I was just a young buck back then. I had been in the building department work for probably 6 years and had no idea there was such a code and neither did anybody else I was working with. It was a well-kept secret down south where I'm from. Anyway that started my education and I read up on it and when I learned who was on the board I was just scared stiff. What do you mean this board made up of architects and landscape and all these other people there going to appeal a decision of the all mighty building official! What is this. I was scared to death. Then through some miracle I was appointed to the board. And I say Whoa. I was really nervous. But after the first couple of appeals I relaxed and I said no they're thinking the same way I'm thinking -- were on the same page. It took that evolution for me to learn that we were all looking for the same thing - safe buildings, reuse of historic buildings and safe sites. It's been a learning experience for me. And I appreciate the expertise of guys like Loring and Alan and all the rest who are experts in their own particular field that you represent. Fred with Seismic Safety. It's been a real pleasure for me to serve and hopefully I can serve for another 17 years and I can say I've got 25 years too. But I hope to be retired by then. So it's been a pleasure and I sure thank you for the opportunity.

TW: I've a couple of things to read into the record. This is a joint resolution from Senator Chesbro and Assemblyman Gil Sadeo. After this we'll get a group photo.

Tom reads the Resolution:

Resolution by the Honorable Wesly Chesbro, 2nd Senatorial District, and the Honorable Gilbert Sadeo, 46<sup>th</sup> Assembly District. Relative to the State Historical Building Code, WHEREAS from

Thomas A. Winter, Executive Director • 1130 K Street, Suite 101, Sacramento, California 95814 • (916) 445-7627  
Department of General Services • State and Consumer Services Agency • State of California • Gray Davis, Governor

1976 to 2001, the State Historical Building Code has been saving historic buildings and it is appropriate at this time to recognize the code for helping to preserve for future generations of Californians their architectural heritage, and WHEREAS the State Historical Resources Commission recommended in 1973, California History Plan, a new building code that allowed enough flexibility to allow the restoration of the historic feature while still retaining its historic integrity and WHEREAS the Director of California Parks and Recreation and the State Architect did initiate a Steering Committee to explore the implementation of this historical building code concept Chaired by the California Council of the American Institute of Architects' and WHEREAS this Ad Hoc group drafted a Bill carried by Senator James Mill, President ProTempo of the Senate. And WHEREAS, Senate Bill 927 Mills was enacted by the California Legislature and it was signed by the Governor in September 1975 and became effective January 1, 1976. And WHEREAS, the State Historical Safety Board has heard hundreds of appeals interpreting aspects of the code for property owners, their professionals, and City and County Building Officials. And WHEREAS the State Historical Building Code has allowed for the rehabilitation, restoration of hundreds of the most precious historic building resources in the State of California. NOW, THEREFORE, be it resolved by Senator Wesley Chesbro and Assembly Member Gilbert Sedeo that they take great pleasure in honoring the State Historical Building Safety Board upon the occasion of the 25<sup>th</sup> Anniversary of the creation of the State Historic Building Code, and commend the memories of the State Historic Building Safety Board for the hard work that effectively accomplished the original goals of the California History Plan of 1973, by providing not only for public health and safety but also enough flexibility for the restoration of historical buildings and features. Number Resolution 1077 this 15<sup>th</sup> day of May, 2001.

Applause

Commendation from Governor Gray Davis

To the State Historical Building Safety Board, May 11, 2001. It is a great pleasure to extend a warm welcome to all who have gathered to celebrate the 25<sup>th</sup> anniversary of the State Historical Building Code. I applaud the members of the State Historical Building Safety Board for their dedicated efforts to preserve the Golden State's unique history. Their commitment to protecting historic buildings while improving occupant safety has made a positive and lasting impact. On behalf of the people of the State of California I extend best wishes for continued success.

Governor Gary Davis.

These will be presented officially about 5 o'clock on Saturday at closing of the silent auction. I'm hoping all who can will be there.

Meeting Adjourned.