



State Historical Building Safety Board

September 19, 2002

Meeting Minutes

Page 1

Item 1. Convene Board Meeting (Chudy)

a) Call to order

b) Role Call: Ron Bergeson, HCD; Ken Knott, OSHPD; Loring Wyllie, SEAOC; Dick Hastings, League of Cities; Mary Gimaldi(?), alternate to Mike Paravagna, Dept. of Rehab; Tom Winter, Executive Director; Dan Chudy, Calbo, Chair; Stephan Farneth, AIA, Secretary; Bob Mackensen, County Supervisors; Roy Harthorn, Calif Bldg. Contractors; Deborah Denne', ASLA; Gloria Scott, Caltrans;
Arriving during the meeting: Teresa Rocha, Alternate, DSA; Michael Richwine, SFM.

Guests: Cindy Heitzman, City of St. Helena, B.O.; Larry Brueger, City of Los Angeles, DBS

Quorum Present

Item 2. May 2002 Meeting Minutes. Entertain approval. Changes, Revisions? Ken Knott was in attendance, arrived at 2 P.M. Dan C. moves and second D. Hastings. Approved as revised.

Item 3. Executive Directors report.

- B) 1) 2001 CHBC posted, link from BSC site to DSA web site planned.
- 2) Executive Director splitting time between Historic School Program and SHBSB per a "formal" budget proposal.
- 3) Archives of the SHBC/SHBSB have been converted to 6 CD's. The total paper files amounted to nearly 40 archive boxes. Didn't include old meeting tapes. Scans with OCR allows searching the files for any item or key word or topic. Paper files are being held. Files are not indexed, or organized, but could easily be done with some student work.
- 4) Attached is response to a request to having all of the relevant statutes in one document. Included in the Board package, as a part of the proposed web site.
- 5) omitted
- 6) Bibliography of existing research for the structural policy for the Historical Schools Program. RFP for reviewing the research and determining policy is to be done in the next 3 months.
- 7) Policy manual: Request for old SHBSB policy documents.
D.Denne: The Board developed some materials, but it never was moved forward in terms of an actual manual. Whatever policies are

there, are in old meeting minutes. Gave Tom a list of possible policy items.

TW: Recommends at a future meeting bringing an action item to remove old policies and start new ones and record them in a manual.

8) Project activity in the office

Item a) Builder Got Break – LA Times Article

Dan C. Brief overview of article? TW: Office got a call back in May or so, a request for a verification of H&SC authority to use SHBC from Andrew Adelman, Chief B.O. from Los Angeles, Letter was included in a past board package. That request involved this particular building and issue in LA.

Larry Brueger: Description of the article: Came up for this meeting after seeing the agenda item. Larry was involved in this project for a long time. Reviewed this project in numerous meetings with LAFire, and LADBS structural to flesh out the issues. One of the issues involved stairwells and smoke. Since stairways in most of these buildings are open and it's impossible to enclose the stairways, the city allows, through the retrofit ordinance, to have a smoke hatch at the top of the stairwell. But, in many cases the stairwells were enclosed and pressurized. Where the article talked about veteran inspectors, there were some disgruntled people over some issues related to hiring, etc., but there were no inspectors removed from the project as noted. The issue about temporary certificate of occupancy expiring is something in house that needed to have some follow through, but was not a really big deal, and those were corrected when found. The steel beam exposed was a condition that Larry analyzed – The beam had concrete cover on the sides and top – Larry wasn't that concerned over that particular issue that it would be a problem, and later found that NFPA guideline 914 accepts a similar situation. So that issue wasn't as problematic as made out. Some staff believed that the building was given "breaks", but these buildings were very safe with features as full sprinklers, alarms. A tenant had questioned two of the "appeals" for use of alternate designs and the BSD Manager requested a letter from SHBSB for a presentation to the Board of (Building Safety) and they upheld the original findings.

Chudy: Expressed appreciation of Larry coming to SHBSB to provide this information on the situation.

TW: I included this article because the SHBC is used and we don't get much feedback as to how it is accepted and use. This article shows that the SHBC is being used, that LA is using the provisions, but interestingly the SHBC isn't even mentioned.

Cindy Heitzman: Announced two training sessions from CALBO on the State Historical Building Code, and this LA issue. Larry is going to talk about the LA ReHab code.

5) California Outdoor Lighting Standards: Request for a member to analyze the document for any issues regarding the SHBC. Denne' accepted.

8) b) River Walk District: Working with San Jose Fire on a series of projects in this development, historic structures moved to a preservation area. Issues with property lines and distances, use of the SHBC, and correspondence between Ex. Dir. and project designer. Bottom line, the 6 foot between buildings not an issue in Sacramento, who uses the "sprinkler over window" protection application extensively.

c) 601 Townsend Street, SF. Issue over the timeliness of action by the SHBSB. City asking for an interpretation. We responded that City needed to respond before we would. The issue is of getting a response back to an entity in a time frame where they are considering to purchase this building. Demonstration of how the building industry works in "real time" and how SHBSB is reacting in a less timely manner and how that affects the use of the code up front, when someone is trying to put a project together. We can't react because of our structure. An issue for the strategic plan.

9) information on a very preliminary discussion with LA Conservancy about a workshop with the rehab entities in LA and SHBSB.

Suggestion that such a workshop might be good for an "open" meeting.

TW: It's up to the actual organizer. SHBSB isn't going to organize this event. We'll just participate.

Chudy: There are other training sessions available. Chudy does one for CTI, and did one for the City of Santa Ana.

C) Legislation: Heads up that SB 1428 McClintock would establish a Council to look at boards and commissions throughout state government and make recommendations for shutting down as many as they find don't serve "the public". We should keep an eye on this legislation, and hope that we can prove we are vital if the bill passes and is signed into law.

1) Roster. New members are listed. TW gives an apology for our mailing lists being out of date, a problem with our past practices of keeping the list has been identified and will be corrected before the next mailing.

Item 4. SHBC Web Site Proposal

Chudy: The package is extensive, has a lot of good information. Some issues on pages 4 and 5. Problem with R Grivigian's treatise on the statutory basis of the code. Shouldn't be included here, perhaps redone by Staff Counsel.

Roy: Legal Counsel is better.

Loring: Sometimes Ray made it out to be what he thought, not what was passed by the legislature.

TW: Suggestion that the Board go through this package item by item and vote to make sure everyone is ok with what is said. This is a Board represented web site that also gets DSA approval, this is a legal representation.

DD: It putting this material on the web a legal act?

Barbara B: Always is a risk, it is a good recommendation to get the boards input on each item. There may be items from each member as Dan had one item.

TW: This web page will represent the State of California, through the DSA.

Teresa Rocha: This web site does represent the State. What is on this site is official and will be used that way. I would be careful and cautious about what is presented on that site.

Gloria: This is for different audiences? There are different types of users, the homeowner, state agencies and other agencies. Is there a way to direct different users to the differing audiences.

TW: The "architecture" of the site is still to be designed, this is the structural backbone, the presentation could be very different in terms of organization. I think the FAQ's probably is a good idea, but on the first go round, this is a basic layout for all users.

DD: This is oriented towards the more professional user. A set of FAQ's would be a good and the novice user could be guided towards professional help along the way.

Abbreviations won't be used without explanation, perhaps not at all.
Site menu will be provided.

Item A) Home Page: Suggest disclaimer for the web site. This web site does not preempt the legal authority. Include a statement. Provides insight and guidance. Expand on that. Make it a disclaimer.

Dan C. Existing "disclaimer" seems ok, not a lot of editorial content is presented in this web site, it is mostly links and reprints.

TW. Read the Overview of the Purpose:

Make definition consistent with use of buildings and properties.

Consensus to change the wording to say properties "all structures and properties deemed".

Dan: Do we adopt the CHBC. Yes, we adopt, BSC blesses it.

Gloria: Regulation? Does it implement the Statue? Add implement the statute

Loring: Alternative: to What? Take out alternative. Take out the first alternate in the box.

Hastings: On the second page, are agencies allowed to adopt and modify?

TW: This a positive thing, a state agency could write SHBC regs over their piece of the world.

Loring: Make it clearer with two sentences. Done.

Hastings – motion to accept as revised, Wyllie - second: Approved.

Item B) Page 4. Remove Ray G. 1994 Statutory Review.

DD: Use same trigger words. Structures and properties, and restoration, preservation etc.

Loring: Isn't this the same as page 5. Yes. Delete this page for review.

Item C) Page 5. Gloria: add SHBSB to first sentence.

Barbara: In box "help familiarize the SHBC user with the authority..."

Remaining pages of 5: Discussion of what is in the statute and changes.

Hastings: Issue with 18955 like to add California Register to the statute.

Gloria: That could be a good FAQ.

Hastings add that California Register counts in the definition.

Bob M – motion to accept as revised, DD second, Approved.

Item D) Page 8. Denne" remove "s" off of regulations. Barbara: singular.

Hastings: add FAQ to list on page 8?

DD: "The most common problem..." Make this "these" below.

Hastings – motion to approve as revised, Chudy – second: Approved.

Item E) Page 9. DD and Gloria: is there a way to make the links titles more explanative? TW will look at those titles.

Some suggested language. A checklist? Can this be called a Checklist? Make the flow chart a graphic.

Item F) Page 11.

Loring: Item #8 doesn't work for Structural chapters. Make different sections for different issues. Major issues.

TW: Note Yellow highlighted areas. Any questions with authority to determine if a building is qualified? Suggesting a B.O. can ask for verification of historic fabric?

Gloria: Link HSR to NPS or other.

Item 5, Change from "on purpose" to "appropriate".

Hastings: Can there be a "Ask Jeeves?" kind of place to ask questions and get to the information? Search engine. TW: Probably not in a first time site, but a good idea for future work.

DD: Break first sentence – run on.

BB: Underline and Bold the paragraph headings. Good.

Item 5, Loring: Is the HSR too costly for small projects? Suggest stopping sentence after "requested."

Page 11, page 2, Item 8,: Final authority? BB: SHBSB isn't the final authority on anything, makes decisions, determinations, findings.

Loring and Dan: Final "appeal" authority. Needs to focus on appeals.

Locals have admin authority, Board has appeal authority.

Loring: Can't we get rid of alternative. Rework the use of the word alternative. Hastings – make it clear what an alternative means?

DD: rework the "matrix" idea. Provide an example. We are assuming the reader knows about construction of a matrix.

Items E and F - Hastings: motion to accept as revised, second Bergeson; approved

- Item G) Page 13, Accessibility. Deferred to next meeting. Farneth. New information, new development needs to be reviewed. TW: Explanation of what is proposed. Note the disclaimer. DD: expand visibility of that item.
- Item H) Page 14. Loring. Why don't we have the MOA listed here with flow charts etc. TW: Two issues. First the MOA is between DSA and SHPO, but DSA no longer has authority over the state building program, that is now a function of RESD, still in DGS. Second, the main responsibilities are handed over to the SHPO. Loring: that is a trap, SHPO wasn't doing their job. TW it seems to be the reverse now, RESD consults with SHPO and doesn't contact SHBSB. DSA is interested in bringing the review and policy authority back into DSA. Loring: could we take the flow charts and substitute RESD for DSA. TW: it might apply globally. But the Web page is to apply to all state agencies, not just DGS.
Gloria: PRC 5024.5 the wording within PRC says prudent and feasible, not cost effective. TW: The statement here is reflecting the SHBC mandate, to provide a "cost effective solution". DD: you should make it two sentences, separate those thoughts.
In yellow area: Hand out the Lungren Opinion 1993. Question by BB about whether 18961 authorizes the SHBC to review any action taken by an agency on a historic property. BB had a different read on that sentence.
Gloria: Point about what is a qualified property. TW: SHBC has a different definition. Gloria: State agencies shall consult on things such as whether a building is qualified or not. The state agency must consult with the Board on whether this is a qualified building. Loring: check the MOA and see what it says.
DD: motion to bring this back, Loring second to table. TW: to bring back.
- Item I) Page 12. Question DD: should we be proactive on State Agencies paragraph. They bring or we pursue these projects? TW: assume both. Hastings: What defines as of statewide importance? Loring: When did we ever not determine it to be of statewide importance?
TW: recommend that we defer this item to the next meeting.
- Item 5) Old Business: Discussion of talks with Caltrans about writing a highway code SHBC.

Item 6) New Business: Ken Knott: Staff passed out a PECG flyer about the Washington Bldg in LA, and the states tenants finding that the building didn't meet any minimum seismic standards. What is the import of this handout?

TW: This is just for information. Staff is tracking this issue because it affects the SHBC in that the leasing agent is a state agency (DGS) and if the state implies to a private owner that anything more than the SHBC is required for seismic, they are not following the mandate of the SHBC. It puts rehabbed buildings done to SHBC at a disadvantage for state leasing. The state can't mandate that a private building be brought up to the regular code standard as opposed to SHBC level.

Adjournment