

**BUILDING STANDARDS COMMISSION
MEETING MINUTES
August 13, 2020 – 10:00 a.m.**

Thursday, August 13, 2020

Agenda Item 1. Call to Order

Chair Julie Lee called the meeting of the California Building Standards Commission (CBSC) to order at 10:02 a.m. The meeting was held via Zoom and teleconference hosted by the CBSC.

Roll Call

CBSC Staff Member Pamela Maeda called the roll and Chair Lee stated a quorum was present.

Commissioners Present:

Undersecretary Julie Lee, Chair
Juvilyn Alegre
Elley Klausbruckner
Erick Mikiten
Rajesh Patel
Peter Santillan
Kent Sasaki
Aaron Stockwell

Commissioners Absent:

None

Pledge of Allegiance

Chair Lee led the Commission in the Pledge of Allegiance.

Chair Lee gave instructions regarding public comments and teleconferencing.

Agenda Item 2. Comments from the Public on Issues Not on this Agenda

Chair Lee advised that the Commission may receive public comments on matters not on the agenda. Matters raised may be briefly discussed but no action may be taken by the Commission.

Bruce Horne with Otis Elevator and representing the National Elevator Industry Inc. (NEII) had comments on the upcoming agenda. One of the items under the State fire marshal knowing that changes had been proposed.

Mia Marvelli stated: Yes, Item 3. that is the State Fire Marshal's Part Two package.

Kevin Brinkman with NEII. As many of you probably know NEII is the national trade association for large elevator companies who collectively represent about 80 percent of the workforce in the industry. The conflict between the California Building Code and the California Elevator Code regarding elevator emergency communications. The issue is a result of a lack of alignment between the California Building Code and the California Electric Elevator Code. We appreciate the Standards Commission forming the elevator working group that we work on with Greg Andersen to try to address these issues.

The latest California Building Code has new requirements for elevator emergency communications in Chapter 30, but it does not contain any technical criteria for enforcement. The 2019 edition of ASME A17.1 Elevator Code has incorporated some technical requirements for the elevator communications so it can align with the new standards in the 2019 California Building Code. NEII and its member companies would like to request that California use the criteria in Section 2.27.1 of the 2019 A17 Elevator Code for enforcement of building code requirements for the elevator emergency communication means. This will help align things with future products coming out and make sure that California is in alignment with the A17 code.

2019 INTERVENING CODE ADOPTION CYCLE PROPOSED RULEMAKINGS

Chair Lee stated: The Commission will take action on Agenda Items 3-8 to approve, disapprove, further study required, or approve as amended the proposed code changes to the 2019 edition of the California Building Standards Code. Upon approval and adoption these building standards will be codified and published January 2021 as a supplement to the 2019 edition of the California Building Standards Code with an effective date of July 1, 2021.

Commission action will be guided by the nine-point criteria established in Health and Safety Code Section 18930. The Commission will consider each agency's proposed building standards and its justifications, Code Advisory Committee recommendations, comments submitted during the public comment period and oral and/or written comment received at this meeting. The public may comment on any challenges to the proposals or Code Advisory Committee recommendations submitted during the comment periods. Please note that no new issues or new information challenging the proposed code changes may be presented to the Commission in the adoption of the proposed regulations. The Commission may take action on the entire package, or if necessary, take separate action on individual items listed in the Commission Action Matrix.

Agenda Item 3. Office of the State Fire Marshal (3a-3c)

Chair Lee asked the representatives from the State Fire Marshal (SFM) to present Item 3a, proposed adoption of amendments to the 2019 California Building Code, Part 2 of Title 24.

Mike Richwine, State Fire Marshal, introduced himself and gave introductory comments as follows: The Office of the State Fire Marshal is proposing fire and panic safety regulations as authorized in Health and Safety Code 13110, 13108 and 18935 for the 2019 California Building Code, Part 2, the 2019 California Residential Code Part 2.5, California Fire Code Part 9. We are grateful for the opportunity to bring forth provisions of the 2021 ICC model codes for early adoption consideration in California.

As way of introduction, in 2018 Governor Brown issued Executive Order B52-18 that charged the Office of the State Fire Marshal, Housing and Community Development, the Division of the State Architect, the Office of Statewide Health Planning and Development and the California Building Standards Commission to consider the early adoption of mass timber or tall wood buildings in this 2019 intervening code. Shortly thereafter the Assembly passed a resolution ARC 102 that also requested the Office of the State Fire Marshal to consider the adoption of the tall wood building regulations in the intervening cycle.

The early adoption of mass timber codes can be of a benefit to California in many ways, but I would like to highlight three of those advantages in this proposal. Number one, it has the potential to increase the market demand for mass timber production in California to meet the needs of the construction industry. Number two, it will increase the pace and scale of our wildland fire prevention and forest management goals of treating 500,000 acres per year by thinning the forest of smaller diameter trees that can be used in the production of cross-laminated timber and other mass timber assemblies. And while wood products provide the benefit of storing carbon, another benefit or advantage is that mass timber construction can also help reduce the carbon footprint of concrete and steel production.

In addition to mass timber the Office of the State Fire Marshal is also seeking the adoption of code proposals to improve fire and panic safety in puzzle or escape rooms, energy storage systems and mechanical parking structures. At the Office of the State Fire Marshal, we take great pride in our consensus approach to rulemaking and we have facilitated or participated in code development workshops to engage with all stakeholders, the affected industries, the fire service, building officials and architectural design community. We collaborate with our sister state agencies including OSHPD, DSA and HCD and we maintain transparency through compliance with the applicable laws and regulations.

In closing I want to thank all the members of the Office of the State Fire Marshal code development staff, the California Fire Service building officials, our state agency sisters, industry associations and organizations, for their contributions in preparing these code

proposals. Thank you for your time. I would now like to introduce Greg Andersen, the Division Chief of our Code Development Division.

Item 3a: SFM 01/19 - Tall Wood and Heavy Timber Group

Greg Andersen gave an overview: Working with the Building Standards Commission staff we did grouped like items together and you will see that table how we group some of these proposals. Of course, it is up to the Commission on how we will hear these.

First proposal is about the tall wood building. As it is throughout the entire book, we ask for you to hear the tall wood building proposals first. The Chief gave some background on this. SFM participated in the International Code Council hearings at the national level for several cycles as this was moved forward and adjusted and they came back in the last cycle with a lot more testing, more data, some things had been changed, and it overwhelmingly passed the ICC.

SFM formed a workgroup. We had presentations from structural engineers, from fire protection engineers, the American Wood Council and we looked through all different factions of the proposals and we proposed to adopt the model code. That was the recommendation to the State Fire Marshal, we have agreed.

Brought in the Group B proposals which had not been voted in, into this package. Now currently they were approved but we had to start before that to meet these timelines. We did a couple minor modifications. One was already heard at the electric code for the coaxial cables in tall buildings because that has not been addressed. The NEC, which is on a different cycle, to catch up we put something in there to cover that. And the only other change we did was on the height in area tables just to format how we do things in California. The model code allows 18 stories, so does the California version. For the height in area to get both it would be 17 stories for a type IV-A building in an R occupancy.

The model code is proposing three new types of construction, Type IV-A, Type IV-B and Type IV-C. The proposals also had to go through everywhere in the code where Type IV was listed and change that to Type IV-HT for Heavy Timber. We watched all the testing that was done through the American Wood Council, were done at the ATF testing laboratories. We had samples of the CLT or cross laminated timber.

Chair Lee stated: To clarify, Commissioners, what we are going to propose is the discussion on tall wood heavy timber grouping and then do your discussion, public comments and take a vote and then move to automatic parking garage group and so forth.

Questions or Comments from the Commissioners:

Commissioner Sasaki had a question for SFM: On these mass timber buildings, in the event of a fire, assuming a fire does happen in one of these buildings were there any discussions about how to repair those elements?

Greg Andersen responded: On a 17 story or 18 story building the wood would not be exposed. To get to the Type A you must have the two layers of drywall on both sides. If you went with a Type IV- B you can have a percentage that is exposed or a Type C, which can be fully exposed on the interior. Working with the American Wood Council there were details on how to replace sections that were there that needs to be cut out and there are laminates and overlapping of the layers.

Commissioner Sasaki stated: Okay. Fantastic, appreciate it, thank you.

Questions or Comments from the Public:

Bob Raymer representing the California Building Industry Association, the California Apartment Association, the California Business Properties Association and the Building Owners and Managers Association stated: We submitted a two-page letter dated August 3. I am not covering the comments in there, but we strongly support this action today. Governor Brown signed an executive order on this followed up by legislative action supporting the expedited adoption.

David Tyree, Regional Manager for the American Wood Council stated: The American Wood Council is the voice of the North American traditional and engineered wood product and it represents 80 percent of the industry. On behalf of the wood product industry, we are speaking in strong support for adoption of the tall wood provisions, which add provisions allowing the expanded use of mass timber products in California. By doing this California would be joining states such as Utah, Washington, Oregon, and just added this past year Denver, Colorado, as early adopters of the recently approved 2021 international building code provisions that allow for larger and safer mass timber buildings being permitted by the current code. An important fact, and Greg Andersen already brought this up, is that these provisions have already been vetted through the ICC supplemental consensus process and have been approved by the International Code Council and will appear in the 2021 edition of the International Building Code. As such the Office of the State Fire Marshal and the Department of Housing and Community Development would be incorporating these provisions in the next triennial code adoption process.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded: In support of Tall Wood and Heavy Timber Group were; Cedric Twight from the Sierra Pacific Industries, Robert Raymer from CBIA, an industry coalition letter from the California Building Industry Association, David Tyree from the American Wood Council, Henry Morris from the Pacific Lumber Inspection Bureau, Heather Strong from WoodWorks - Wood Products Council, Greg Strong, CEO of

Phoenix Energy, Andrea Tuttle, forest and climate policy, Helena Murray, US Forest Service. Keith Gillis, Board of Forestry and Fire Protection, Katie Harrell, Mariposa County District 1 representative Rosemarie Smallcombe, Steven Frisch, Sierra Business Council, Eric Holst, Environmental Defense Fund. John Andersen from the Humboldt and Mendocino Redwood companies, Staci Heaton Rural County Representatives of California, and Randy Handbell who represents the California Association of Loggers.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Building Code, the Tall Wood and Heavy Timber Group. Commissioner Sasaki moved to approve the Tall Wood and Heavy Timber Group in Item 3a as presented. Commissioner Mikiten seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3a: SFM 01/19 – Automatic Parking Garage Group

Chair Lee asked the representatives from the SFM to present Item 3a's Automatic Parking Garage Group.

Greg Andersen gave an overview: The Automatic Parking Garage Group was another proposal that was adopted at the ICC level; it is to address the issues of mechanical parking. This is an issue we need to address currently in the metropolitan areas of California. This is where you park your car, they take it into the garage and put it on a mechanical rack and stack them. As we are increasing the fire load in these garages it is becoming, in a way, a high storage situation with a high fire load. There was nothing in the code that specifically addressed this and so at the ICC level there were proposals that were passed.

Questions or Comments from the Commissioners:

Commissioner Klausbruckner asked for clarification: You are treating this equivalent to a high-piled storage situation in certain ways. I was trying to discern, it sounds like the sprinkler criteria is based on fire area, am I correct?

Greg Andersen replied: It must be designed specifically for the way they have it in there so it may require heads that come in at different angles. It is not as easy as a high-piled storage because it is going to be designed different on different scenarios. There are some exceptions for the small two-car garage that is not what we are talking about. Again, this was vetted at the ICC level and we did not work to change anything, just bring it in, because we know in San Francisco and Los Angeles some of these things are definitely going in right now and we need to address that.

Commissioner Klausbruckner stated: You are addressing the sprinklers based on that and then you have fire department access doors that are brought in based on high-piled storage. The section at least the ICC is referencing is on page 12 of 118?

Greg Andersen replied: Yes.

Commissioner Klausbruckner stated: It says it shall be provided in accordance with Section 3206.7 and sends you to the tables, the high-piled storage cutoff tables. Is the intent to require access doors regardless of the square footage? It says shall be required in accordance with the section but the initial statement in that section says, if it is greater than a certain square footage, then fire department access doors are required. Is the intent to require fire department access doors regardless of the square footage or is it intended to follow table 3206.2?

Greg Andersen replied: I believe it is based on the height. Because if we have a high storage, even though it is very narrow, I do not know how they could make one without hitting some of the areas. But without confirming with the ICC, I would need to do a little research on that.

Commissioner Klausbruckner stated: Eventually you may want to come up with an interpretation for that for clarification because right now it is not clear. The initial statement in that section says in accordance when required by table 3206.2 and that has cutoff lines for Class I through IV, for Group A plastics, there are different cutoff points, which I think might be more reasonable than just regardless of the square footage, you require fire department access doors every 100 feet. But then you would have to specify, well, the car units are like a high hazard commodity so 2500 square foot would be the cutoff line or the start of when you need access doors. My only other comment is you may want to get clarification and provide interpretation for that.

Greg Andersen replied. When it is published in November and shortly after that the ICC commentary which may address some of these issues. We can review it and if it is not covered, we will look at it at that time.

Commissioner Klausbruckner stated: Fair enough, and if it is not provided, I will request a formal interpretation.

Questions or Comments from the Public:

No questions or from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Commissioner Klausbruckner stated she would like to suggest two friendly editorial amendments. On page 11 of 118 Section 406.6.4.2 should say “a mechanical-access enclosed parking garage” not “an” a very minor editorial.

At the top of page 12 of 118 it says: “Exception: Shall not be required ...” that is usually you repeat fire control equipment shall not be required. Again, I think they are very much an editorial correction to the regular formatting of the code language.

Motion: Chair Lee entertained a motion to consider the SFM’s proposed adoption of amendments to the 2019 California Building Code, the Automatic Parking Garage Group. Commissioner Klausbruckner moved to approve the Automatic Parking Garage Group in Item 3a with the two minor editorial amendments as suggested. Commissioner Mikiten seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3a: SFM 01/19 – Puzzle Room Group

Chair Lee asked the representatives from the SFM to present Item 3a’s Puzzle Room Group.

Greg Andersen gave an overview: The puzzle room was also a proposal that was adopted at the ICC. We are talking about escape rooms, which are a common form of entertainment, they lock you in a room for solving puzzles to get out. Obviously, the fire service, we have problems when you lock people in a room. These are the standards to address the specific changes in the way that society is forming entertainment and it does look at fire sprinklers and smoke detections and complying egress if somebody really needs to get out. As this is a very popular entertainment method used in the state, we look to move this forward at this time to address these issues.

Questions or Comments from the Commissioners:

Commissioner Klausbruckner asked: You are changing the special amusement building to area, right, by definition?

Greg Andersen replied: Correct, that is a model code change.

Commissioner Klausbruckner stated: This is only intended for special amusement areas where it is, for example, the puzzle rooms, the Halloween scary house, the haunted house. But it is not intended for every amusement building like a Cirque du Soleil or anything like that?

Greg Andersen replied: The regulations kick in when you are locking the door. Where it came from was puzzle rooms when they are confusing the exits and not making it easy

to get out. This may go into a strip mall or a small area of a building and that is why they changed it because it is no longer a building, it is an area.

Commissioner Klausbruckner asked: It is usually when people are locked into the building as such. And the language has not changed from the model codes, correct; most of the language is the same?

Greg Andersen replied: There was one where they wanted heat detection and we put it needs to be smoke detection. Otherwise, it is model code.

Commissioner Klausbruckner asked: It is always inside a building the way it is defined; it is not any outdoor-type facilities?

Greg Andersen replied: They could do this in an outdoor setting, but it would still have to be a structure because there still must be an accident requirement.

Commissioner Klausbruckner asked: And the 180 days comes from the model codes?

Greg Andersen replied: Correct.

Commissioner Klausbruckner stated: They are defining temporary, but you are requiring sprinklers. There was a Section 411.2 page 19 of 118. It might be the formatting or the way you must present it to us but there were sections that this is not new language that sprinklers are required, this is existing language, and you are just changing it.

Greg Andersen replied: It was an addition from the model code. Because we are bringing it in early everything is italicized, but when we come to the next cycle it will be standard font because it is model code language.

Commissioner Klausbruckner stated: Some of that language is in the currently published 2019 which requires it to be sprinkler. It looked like you are requiring sprinklers and it is new when it is not, it is already in our current code, you guys are adding temporary structure and some additional leeway as far as the water supply.

Mr. Andersen stated: Correct.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Building Code, the Puzzle Room Group.

Commissioner Klausbruckner moved to approve the Puzzle Room Group in Item 3a as presented. Commissioner Alegre seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3a: SFM 01/19 – Energy Storage System Group

Chair Lee asked the representatives from the SFM to present Item 3a’s Energy Storage System Group.

Greg Andersen gave an overview: The energy storage systems are the battery systems used commercially and in residential throughout the state and the country. This is very critical for our energy supply and balancing the electrical grid. This is definitely a priority in the state, especially as we increase the use of solar which creates the energy in the afternoon, but the demand is in the evening and this is one that has been identified as a means to balance the grid. We are chasing technology on this. In the last intervening code cycle, we brought in the proposals from the ICC early.

There have been advances with the UL 9540 and 9540A. We did get a couple of comments to move ahead and adopt the 2020 UL 9540 which does have more changes. That was not adopted by the ICC and we chose not to adopt it at this time. We need to bring it to the current edition, same as the ICC, but to jump ahead there may be a fiscal impact. Basically, this is the 15-day public comment period; we did not have the time to do the fiscal impact. We are sticking with a model code with one major exception. Group A heard the fire code and most of the energy storage systems for the ICC; in Group B they heard the residential. There were changes in the residential energy storage systems and it did not match what is in the fire code. We took the model code for the R3 and put that in in the fire code. The bigger problems we have had from the Authority Having Jurisdictions (AHJs) is that conflict between the residential code and the fire code and how it applies when there is a difference. The building code most of this is in the fire code and the residential code but the definitions and some of the standards are in the building code.

Questions or Comments from the Commissioners:

Commissioner Patel stated: I have no comments but thank you for that explanation, that helps.

Commissioner Klausbruckner stated: You are bringing in NFPA 68 as one of the standards, pulling it in for the explosion control?

Greg Andersen replied: Yes.

Commissioner Klausbruckner stated: That standard is only intended to apply to energy storage system; it does not change any of the other explosion control systems in the rest of the code, for example for flammable combustible liquids and that sort of thing?

Greg Andersen replied: No, it is just where it is referenced in the code, which would be the energy storage systems, the same as the model code.

Commissioner Klausbruckner stated: Perfect. Because there are other acceptable means other than explosion control, so I did not want to get pulled into that.

Questions or Comments from the Public:

Bob Raymer with the California Building Industry Association and representing the California Apartment Association, the Building Owners and Managers Association and the California Business Properties Association stated: We are in strong support of today's adoption of the energy storage group changes. The previous energy regs that were approved that took effect in January of 2020 included substantial compliance credit for energy storage.

Matt Paiss representing Pacific Northwest National Laboratories stated: We are a Department of Energy (DOE) funded lab and specialize in modernizing the grid. We support the adoption of the energy storage group changes. As Chief Andersen mentioned, we are constantly chasing technology in the codes and standards world, so this is a big achievement.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman stated: There was one from LA County Fire, Joshua Castell and Nick Duvally. They were concerned about a reference connection between standards that they would like the Fire Marshal to look at.

Commissioner Patel stated: Greg, on the comment that came from LA County Fire regarding the reference connection between standards, was that something that you were able to reconcile?

Greg Andersen stated: We went with what was adopted in the model code because of the fiscal impact of the newer one. We like the newer one, but we just did not have time to do an economic impact of what that would do. They also had some concerns about the locations, where it could be a utility closet and other things. We went with what was adopted at the ICC.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Building Code, the Energy Storage System Group. Commissioner Mikiten moved to approve the Energy Storage System

Group in Item 3a as presented. Commissioner Alegre seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3a: SFM 01/19 – I-Occupancy Workgroup

Chair Lee asked the representatives from the SFM to present Item 3a’s I-Occupancy Workgroup.

Greg Andersen gave an overview: The I-Occupancy Workgroup is where we address issues in prisons and jails where we are detaining inmates. This is an ongoing workgroup, and these are California-based changes. This one goes in a few different places. If we look at the changes on page 7 of 118 is just an editorial correction because community correction reentry centers are now R-2.2s.

If we go to the next page on 8, this was to correct a publishing error where they deleted the examples of what our R-4s are.

Page 17 of 118, we did add an occupant load factor. Working with the stakeholders there is a strong desire to have the occupant load factors in one place, so we moved it from our proposal last time to put it to Chapter 4. Some of these are duplicative but some are very specific to I-3s, especially the footnotes, when we are looking at a holding facility, especially like a prison that has the cell unit and then you have a day room that is designated as only used for those same inmates. The Safe Dispersal Area, that is an existing number of 7 because when inmates go out on this dispersal area, they go prone and they are laying on the ground and that was a change from several cycles ago from the request from The California Department of Corrections (CDCR) because that is actually the way it is being done. Otherwise, we put this down just specifically to address the needs of the prisons and especially the designers.

Some changes on page 85 and this is the minimum corridor width. The way it is written right now is if you have anybody who basically uses a cane or is in a wheelchair it requires a corridor of 96 inches. In talking with the workgroup that was not the intent, that is the same as a hospital where you are moving beds around. SFM changed it to match what was being used in a medical facility not moving beds, it would be 72 inches. If it is a medical facility where you move beds down the corridor it is still 96 and that was to clean up that language.

Chapter 12, that is on the next page. The security glazing that it referenced, the standard in CDCR, they changed their manual and it is in a different location. It is not a change in the standard, it is just a pointer to the correct reference.

Questions or Comments from the Commissioners:

Commissioner Patel asked: Item 4-15, the automatic fire detection. Was that further study? That is on page 14 of 118.

Greg Andersen replied: That is part of the I-2 Group so we will be working with OSHPD in the next group. That was a change from the model code.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Building Code, the I-Occupancy Workgroup. Commissioner Sasaki moved to approve the I-Occupancy Workgroup in Item 3a as presented. Commissioner Santillan seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3a: SFM 01/19 – OSHPD Workgroup

Chair Lee asked the representatives from the SFM to present Item 3a's OSHPD Workgroup.

Greg Andersen gave an overview: The State Fire Marshal worked with OSHPD to clean up some of the language. Some of the intent from OSHPD is to correlate with some of the national standards which create some problems for them. It is not something we have to do in the state. But because of facilities trying to get Medicare which must meet NFPA 101, which is not one of the standards we adopt in California, it has created some problems for them through other inspections.

On 406 Exception 4 cleanup because in other than I-1s and R-2.1s

On 407 previously any facility with detention would be an I-3. Previously we put in an exception for an I-2 for psychiatric and mental facilities that are an I-2 but they are built as an I-3. It cleared up some problems with nursing stations and how sometimes there was a conflict between what was required at an I-3 and an I-2 in a medical facility even though it is locked. Restating that in a different area so it is editorial on page 13.

The travel distances to make sure that it matched. We added the care suites previously. Some of that language did start with NFPA 101 but it creates some of the

issues in the design. We located the fire and life safety issues and looking at the smoke detections.

Commissioner Patel had some questions on page 14, 407.9, the automatic fire detection. We change that to “smoke” because we have always looked at smoke as a fire and life safety issue.

Commissioner Patel stated: Greg, the reason I brought it up was I did not see 4-15 in the OSHPD Workgroup of items that we are approving. I saw 4-14 and 4-14.1 and then it went to 4-16. That is why I was not sure if you wanted to put it in the I-Occupancy group or the OSHPD workgroup. I just want to make sure if that is something that we are approving today. I am looking at page 4 of the matrix that we have with the different work groups and I am looking for 4-15.

Crystal Sujeski from CALFIRE, Office of the State Fire Marshal stated: That was missed in that group because it still is on the matrix. We never intended to withdraw. But it is part of the OSHPD group.

Commissioner Patel stated: we want to include it in this group. I think there is just a smaller editorial in the language where it says “Automatic” and now it says, “smoke detection” instead of “fire,” “shall be provided in accordance ...” and then there are the words “with equipped” and I am not sure if that should be stricken now and it should say provided in accordance with 907.2.6.2.?

Greg Andersen stated: You are correct, that should be stricken.

Mia Marvelli stated: Gary, repeat the section, please.

Greg Andersen replied: 4-15, Section 407.9 on page 14 of 118.

Chair Lee stated: We are striking the word “equipped”?

Greg Andersen replied: “With equipped.”

Chair Lee stated: Do you still need “with” in there? Provided in accordance with Section 907.

Greg Andersen replied: You are correct. Just strike “equipped.”

Chair Lee stated: Thank you, Commissioner Patel. Greg, do you want to finish up on the overview?

Greg Andersen continued: Yes. On 407.11, that is pointing for the electric. Instead of NFPA 99 it should be the California Electrical Code, editorial changes.

OSHPD wanted to bring in the technological equipment room.

Page 72, 9-4, editorials for adding to the AHJ, added the machine rooms and space for exempt locations and with just another pointer for 3007 in the elevators and hoistways. That was editorial changes.

On page 74 it was cleaned up language. We took out the domestic cooking systems for the I-2.1. 13-3.2. This was about the delayed egress. The model code changed it to controlled egress, which is one of the types of egresses we do not allow so we just corrected it back to the way in California for delayed egress.

On page 78 for 907.3.2, we changed it to “smoke” there are also for the same reasons, for the life safety system, not a fire buildings safety system.

On page 79, that is all the controls and controlled egress, 907.3.2.5, which is 9-23. That is again smoke detections being put throughout.

On page 80, this is the opening protections. This is for the cross-corridor doors. We have taken out the way they can design it there and just send them to Section 716 and put the positive latching which is already there. Instead of writing it out there, we change it to a smoke rated fire door at 716.

On 1010.1.9.7, page 83. This is to correlate with what we already did before for the psychiatric and mental health treatments, to also put it in the controlled egress areas to match what is already in chapter 3 and again in the Exception.

On page 84 taking out the heat detection, it must be smoke detection on item 10-4 at the means of egress, which is 10-4.1. Electrical power, I still look at this as cleanup language on how delayed egress works.

On 1026.4.1 which is item 10-8 starting on page 86 going on to 87. Clean up because we had also capacity including the R-2.1s and changing the pointers to the right locations.

Asked for approval of the OSHPD group including the 4-15 which was missed.

Questions or Comments from the Commissioners:

Commissioner Alegre stated: I just have one editorial change on page 72 of 118. I am looking at section 903.3.1.1.1 the exempt locations and it is item number 3. I think we need to strike the word “provided in accordance with section 3007.” The sentence should read: Machine rooms, machinery spaces, control rooms, control surfaces and hoistways associated with fire service access elevators in accordance with Section 3007.

Mr. Andersen stated: I agree.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Building Code, the OSHPD Workgroup. Commissioner Patel moved to approve the OSHPD Workgroup in Item 3a as amended. Commissioner Alegre seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

A recess was taken.

Item 3a: SFM 01/19 – L-Occupancy Workgroup

Chair Lee asked the representatives from the SFM to present Item 3a's L-Occupancy Workgroup.

Greg Andersen gave an overview: The L-Occupancy Workgroup, some editorial changes but there is another change in the fire code on elevators, but we will start with page 23 of 118. On Section 4-32, Section 453.4.4, this is on the area that is designated for spill supplies. It was just some cleanup language.

In the next section on 453.4.7.2 we added "or vertical" assemblies because the ducts can penetrate any of the assemblies and so we wanted to be clear.

On section 453.9 just added the Chapter 11 and changes "or" to "and," just editorial to where the regulations are specifically.

On 10-7, 1020.5, just added Group L occupancies to one of the sections. For air movement in the corridor, it was an editorial change.

On 15-1, Section 3001.6 on page 97 of 118. This is a pointer to the fire code, and this is addressing the movement of hazardous material in elevators. There are limits in the International Fire Code for how much hazardous material can be in an elevator.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Building Code, the L-Occupancy Workgroup. Commissioner Patel moved to approve the IL-Occupancy Workgroup in Item 3a as presented. Commissioner Klausbruckner seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3a: SFM 01/19 – Chapter 7A Wildland Urban Interface Workgroup

Chair Lee asked the representatives from the SFM to present Item 3a's Wildland Urban Interface Workgroup.

Greg Andersen gave an overview: Our Wildland Urban Interface (WUI) Workgroup is always very active as we continue to address issues with wildland fire and the level of destruction that occurs in the state, unfortunately, every year. As we look at the regulations there are several proposals and some editorial changes on this one. This starts at page 66 of 118; fortunately, these are almost all in Chapter 7A, so they are grouped together.

705A.1, previously there were different levels of rated roofs. Some of this was working with the building industry when this first came in under the cost difference. The cost difference between a Class A and a Class C is insignificant now. We have changed it to all of them in the Fire Severity Zone should be Class A.

705A.2 on roof coverings, there are some roofs when they are put together have gaps in the roofing that allows the embers to go in. This is a requirement that they must have a cap sheet underneath it and there is the standard they would have to meet. Now there are exceptions, if you have the rated plywood underneath it, or the other exception, if you have a Class A roof that already has an underlayment as part of their assembly well of course it is good, as long as you already met the Class A.

706A.2, there are now the listed, we are going to call them WUI events, listed in ASTM E2886. We brought these into the code before, but it was in one of the options. One of the reasons it was brought in as an option is the manufacturing was not there to supply the state. Now working with the manufacturing there are at least three manufacturers that can meet this demand.

709A.1 page 69 changes on the decks where they meet the wall that is where embers pile up and there was a lot of discussion about how to address this. The Committee looked at putting in a metal flashing applied vertical on that wall. We had a lot of work with National Institute of Standards and Technology (NIST) at the national level and some of the preliminary testing that has been done. The generic just a 6-inch flashing there adds a level of protection when you are adding that deck.

On the next page on the roof decking, this is just editorial changing “rating” to “index” to match the correct terminology, changing “may” to “shall be permitted.”

Chapter 15 is the Roofing chapter changing it in the WUI and changing it in this chapter. On page 89 of 118 we took out some of the language that allowed it for Class B and Class C and then just changed it to Class A.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

Bob Raymer with the California Building Industry Association and the California Apartment Association stated: In very strong support of these changes for Chapter 7A. As Chief Andersen has already indicated the two most notable changes relate to making it clear that a Class A roof covering is the only class of roof covering that will be allowed going forward. There is current pending legislation that will probably direct HCD and the Fire Marshal to expand the application of its WUI building standards to high fire severity zones in the local responsibility areas (LRAs).

Manny Muniz, consultant to Hoover Treated Wood Products, stated: I first want to commend the State Fire Marshal and Chief Andersen for the tremendous amount of work done on these three packages and the extensive public participation process that was in place, it is very impressive.

The spelling of the term fire retardant treated wood in 705A.2 and 709A.3. There is a spelling of that term that requires a hyphen, several hyphens, but there were too many hyphens when the final version came out.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded; Manny Muniz, submitted a question about Part 2 and 2.5. They have a similar issue with the hyphenation of the word. We agree and understand what he is asking for and that will be corrected in the codification to make sure that shown correctly.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Building Code, the Chapter 7A Wildland Urban Interface Workgroup. Commissioner Sasaki moved to approve the Chapter 7A Wildland Urban Interface Workgroup in Item 3a as presented. Commissioner Alegre seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3a: SFM 01/19 – Miscellaneous

Chair Lee asked the representatives from the SFM to present Item 3a's Miscellaneous Group.

Greg Andersen gave an overview: Starting with 3-3, 310.5. This is some cleanup language; this is on page 7 of 118. Taking out "Buildings classified as one of the occupancy conditions indicated below." We just changed it to what is the summary of what is in the statute, "The persons receiving care are capable of self-preservation."

On 4-1, 403.1. This is just adding a pointer to the definition for high-rises, it is an editorial change.

On 9-6, 905.4 on page 74 of 118, this is taking out the change in the hose, the standpipe requirement. This is because the fire service does not bring different lengths of hoses, they are standardized it really shouldn't make a difference. We should make it, so it works for the fire service, so it is just keeping it to the 150 feet.

On 907.2.1 on the next page, this is for the license R-2.1. This is a correlation with what is already in that California Fire Code; it should also be in the building code.

The smoke alarms, the same thing, we are putting that in for the multi and it is just a pointer to the California Fire Code.

The next page there is nothing changed in the text, we are renumbering. There is a pointer on Section 907.2.10.2.5 for existing group Rs sending you to the Residential Code, Chapter 11 for the existing and the Fire Code.

Section 907.2.10.2.6, this is the manual alarm that activates the occupants for R-4s housing non-ambulatory clients. This is in statute.

Section 911.1.2 on page 81 of 118, this is for the Fire Command Center. We are changing it from "1" hour to "2" hour. All the shafts are rated at 2-hour, the electrical feed to the fire command center will be at 2-hours.

Section 1030.1. This was a publishing error. They took out one of our amendments on escape windows. They did some minor modifications in the language in the model code

and when it was published it took out our existing amendment. It changes the first paragraph of 1030.1 which does require escape windows for Group R occupancies.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Building Code, the Miscellaneous Group. Commissioner Santillan moved to approve the Miscellaneous Group in Item 3a as presented. Commissioner Klausbruckner seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3a: SFM 01/19 – Elevator Workgroup

Chair Lee asked the representatives from the SFM to present Item 3a's Elevator Workgroup.

Greg Andersen gave an overview: One of our active workgroups is the Elevator Workgroup. The proposals start on page 98 of 118. We worked with Cal/OSHA. There are several conflicts between Title 8 for the elevator standards and Chapter 30 of the building code.

The general stretcher requirements and the gurney size, there has been a prescriptive standard for the size of elevators. The proposal is to say, here is the size of our gurney, show us that it will fit into the elevator by showing the turning radius and that two emergency personnel sized at 21-inch diameter, which we use from a national standard, will fit in here. On the elevator doors, the single blind hoistway, the emergency rooms. Currently the building code does not allow emergency doors, the access doors. The blind hoistway for the emergency doors, we are putting the pointer to Title 8 where they are allowed.

On the next one we have prohibited hoistway panels and doors, which have currently been prohibited by the building code but are allowed by Title 8. This is for the fire service. We would have a locked door normally aimed at express elevators that if a car

got stuck do, we have access or are we dropping down 40 feet to where the car is at. This would allow it per Title 8, it would still have to meet all the requirements and it is not a normal access panel.

The plumbing, 3002.9, added a pointer to Title 8 because there is some plumbing that is allowed, and some is prohibited so we just want it to be the same.

Pit access doors, a request from Title 8, that they do not need access there, you can just put a ladder into the pit. That is not appropriate, it is not done. It is sad that we had to put this in the code, but we did.

Another pointer to the fire code for standby power, bringing in the temperature and humidity control. They are finding without the venting they are having problems with mildew and mold and so emergency venting is put in there. This has the support of most of the industry and from Cal/OSHA.

The Machine Rooms, page 103, here is the permanent access. It continues; 3005, that is all part of the venting. We had the requirements for removing the sprinkler head in the machine room. We are repealing that, not because this is a change, it is now it in NFPA 13 or almost all of it.

The fire service access elevator, there is an exception where the fire department access would not have to serve all the floors. It would exempt the below grade parking floors, which is something that we thought was appropriate, not all subfloors.

Occupant evacuation elevators, to clean up some of the language of which occupant evacuation elevators are used, the banking of this, and this has to do with the generator. This is to say the bank will be served by the generator.

The rest of them were withdrawn. That is our proposals from the Elevator Workgroup, we ask for your approval of these.

Questions or Comments from the Commissioners:

Commissioner Patel stated: Greg, I just had one observation. In items like Item 15-22, the elevators and conveying systems related to the automatic sprinkler system, for example. We added language to the code previously, and now we are taking it out; not to make any substantive change to the code but just to refer to NFPA 13. Does that give people the impression that we are removing the requirement? or do you think the NFPA 13 pointer is enough?

Greg Andersen stated: We like to think that the pointer is enough. We put it in the ISOR.

Questions or Comments from the Public:

Kevin Brinkman with NEII stated: Regarding the elevator emergency communication, is it appropriate at this time to seek an amendment to reference the A17.1 2019 requirements for the two-way communication?

Mia Marvelli stated: Greg, I would have to ask you if that is part of any of your proposed code changes at this time?

Greg Andersen replied: We have pointers for the standard to be the same as what is in Title 8 to have a correlation, to change it across the board could have some consequences that were unintentional. It would be nice to bring it up to the newest standard, but that could not be done at this workgroup to change it as a standard is pointed out there, it is in several locations, it could be problematic at this time.

Mia Marvelli stated: That is a substantive change that must go out for regular rulemaking in the next cycle.

It is more than just a friendly amendment to this rulemaking package.

Kevin Brinkman replied: Thank you for taking the question and thanks for letting us participate in the workgroup. We look forward to working with you more for the next round.

Bruce Horne, Director of Code and Standards for Otis Elevator Company and a member the National Elevator Industry, Inc. stated: I did submit some comments on a few of the items, just minor modifications.

The Item 15-3, the comment that was submitted was to recommend removal of the word “minimum” in two places because it could be confusing. The word “minimum” does not exist in the model code in defining the size of the gurney, that would add additional confusion by having the word “minimum.” The minimum diameter for emergency personnel was identified during highlights that we worked with industry standards and metric data to establish that 21 inches. The model code standards only refer to the gurney size required in elevators. The fact that you removed the fixed dimensions and adding the space required for emergency personnel I think is an enhancement and I think further removed confusion would be taking the word “minimum” out.

Bob Raymer representing the California Business Properties Association and the Building Owners and Managers Association stated: In strong support of the State Fire Marshal's changes to the elevator rules.

Amy Blankenbiller representing National Elevator Industry Incorporated stated: With the exception of the one recommended small change to delete the word “minimum” that Bruce Horne spoke to I just wanted to reiterate Kevin Brinkman's comments about NEII's appreciation of the Building Standards Commission forming an elevator working group. It has been quite challenging to have the elevator codes separated from the

Building Standards Commission's process and that working group is helping to at least attempt to bridge some of the gaps and inconsistencies that exist.

Bruce Horne with Otis Elevator Company spoke again; he stated: The last point that I wanted to highlight on the structure. I know this is new information that came up since we worked with the team on making these modifications, but we have many cases where a lot of local authorities are feeling reluctant to provide the exceptions to the current published code. We really request the Commission if there is a way that they can make the implementation date of this new gurney change sooner to eliminate a lot of hardship on trying to get specific, local fire marshal approval in every different jurisdiction within the state of California prior to requesting for the elevator permit, which is creating a lot of difficulty and hardships on building owners on timely permitting of the elevators.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded: The same gentleman that just spoke from Otis Elevator, Mr. Horne submitted comments to Chapter 30, Section 3002.

Commissioner Sasaki asked: Greg, I did not quite catch exactly where the commenters were addressing the issue of the word "minimum." Can you tell me where that is and then tell me what your responses to their comments are?

Greg Andersen replied: In Item 01/19-15-3 on page 98 in Section 3002.4.1a and it calls for the two emergency personnel, each requiring a minimum clear 21-inch diameter circular and then a minimum size 24 by 84 inches. In the workgroup we put in the word "minimum" because that is the minimum size for the gurney. If they want to provide one larger, they can do that.

Commissioner Patel stated: I just had one comment to the caller that spoke about moving up the adoption date. One suggestion I would have is that if you have a billing department or fire department that you point this out to them that this has been adopted by the Commission in the intervening code and perhaps propose it as a modification many local jurisdictions will accept that knowing that it is coming in the next code cycle: just a suggestion.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Building Code, the Elevator Workgroup. Commissioner Mikiten moved to approve the Miscellaneous Group in Item 3a as presented. Commissioner Klausbruckner seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

The lunch break was taken.

Chair Lee reconvened the meeting after the lunch break.

Item 3b. Office of the State Fire Marshal (SFM 02/19)

Chair Lee asked the representatives from the SFM to present Item 3b, proposed adoption of amendments to the 2019 California Residential Code, Part 2.5 of Title 24.

Greg Anderson gave an overview: These are proposals for the California Residential Code which will be much easier than the Building Code.

Page 1 of 12 all the way through item 2-12.2 on page 6, that is the energy storage systems that we are bringing in from the International Residential Code; this was part of the Group B that we brought in.

On page 6 it then changes over to the WUI regulations. This is the same that was in the building code Chapter 7A; we reprinted here in the residential code, so we have the Class A roof, the cap sheet, the WUI events, the ASTM E2886, ventilation, cleanup, flashing, decking.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

Bob Raymer representing the California Building Industry Association stated: In strong support of the Fire Marshal's proposal for Part 2.5 of the California Residential Code.

Manny Muniz representing Hoover Treated Wood Products stated: This is regarding the spelling of the term "fire-retardant-treated-wood." That is R337.9.3, item 4 found on page 10.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting for the residential code.

Commissioner Mikiten stated: I just wanted to ask Greg about the dashes that the caller brought up. I do not think we included that in the previous motion where he had made that comment but what is the intent there?

Greg Andersen replied: That is just the way it was written from the work group. The Building Standards Commission staff said that could be corrected with editorial.

Mike Nearman added: That incorrect punctuation that was in that phrase, the hyphens were a little bit out of sort. That is something that we certainly can fix during the codification.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Residential Code. Commissioner Sasaki moved to approve Item 3b as presented. Commissioner Klausbruckner seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3c: SFM 04/19 – Energy Storage System Group

Chair Lee asked the representatives from the SFM to present Item 3c's Energy Storage Group proposed adoption of amendments to the 2019 California Fire Code, Part 9 of Title 24.

Greg Andersen gave an overview: We started this discussion in the building code, it continues in the residential code. The bulk of the proposals for the energy storage system, which is mostly in the fire code. Bringing this in from the model code except for those specifically for R-3, we are matching the language with the International Residential Code for those sections. As we are still chasing technology and the use of lithium-ion batteries, just to name one of them, and that is only a family of the batteries, not specific as to which type as they all contain different hazards. We are also updating the standards UL 9540A for the battery testing and the manufacturing that looks down to the manufacturing so that they do not have thermal runaway.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

Bob Raymer representing the California Building Industry Association, the California Business Properties Association and the California Apartment Association stated: We strongly support this package.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments that were any different than Part 2 were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Fire Code. Commissioner Mikiten moved to approve Item 3c's Energy Storage Group as presented. Commissioner Alegre seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3c: SFM 04/19 – Tall Wood and Heavy Timber Group, Automatic Parking Garage Group, Puzzle Room Group

Chair Lee asked the representatives from the SFM to present Item 3c's Tall Wood and Heavy Timber, Automatic Parking Garage and Puzzle Room Groups, proposed adoption of amendments to the 2019 California Fire Code, Part 9 of Title 24.

Greg Andersen gave an overview: There were a few proposals from the model code that also went into the fire code where there were special inspections or definitions in some of the standards. As you see there are only five sections there so this completes the tall wood building proposals, and we ask you to approve those.

In the automatic parking group this is talking about the mechanical parking where they stack them up. The sprinklers are also in the fire code that need to be there and the definitions.

The puzzle room group is the same. We have the regulations for the building code; they also need to be in the fire code for the alarms and the table went through there.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

Bob Raymer representing the California Building Industry Association, the Building Owners and Managers Association, the California Apartment Association and the California Business Properties Association stated: In strong support of these packages, particularly the tall wood building.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Fire Code. Commissioner Klausbruckner moved to approve Item 3c's Tall Wood and Heavy Timber Group,

Automatic Parking Garage Group and Puzzle Room Group as presented. Commissioner Mikiten seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3c: SFM 04/19 – I-Occupancy Workgroup, OSHPD Workgroup, L-Occupancy Workgroup

Chair Lee asked the representatives from the SFM to present Item 3c’s I-Occupancy Workgroup, OSHPD Workgroup and L-Occupancy Workgroup, proposed adoption of amendments to the 2019 California Fire Code, Part 9 of Title 24.

Greg Andersen gave an overview: On the I-3 occupancy it is some of the same changes or very similar because we are correlating the language between the building code and the fire code. In I-3. If we go to page 139, it was just an editorial correction. Because the table for the corridor width on E-occupancies still had a one for sprinklers though we had changed that in a previous cycle to go with the model code of zero, that is a correction. Right below it there is a minimum corridor for the I-3s, which we corrected that to 72 and 96 with bed movement. That is the proposals from the I group.

OSHPD correlating the same language into the fire code. I do not believe there was anything other than the specifics that we were doing previously in the building code just to correlate the language in 903 and 907, which will be for the sprinklers, fire alarms and then 1010 on the egress. We got the cross-corridor doors. So, it is just matching the language.

Group L is the same editorial changes that are for cleaning up the language, putting the references correctly and adding Group L to some of the groups. However, in the elevator code it will go into the hazardous material 5003.10. The proposals are to change the hazardous material in elevators. This has the restriction for you cannot have passengers in the elevator when you are transporting cryogenic or liquefied compressed gases because of the asphyxiant hazard.

Added a whole new section that is specific to California and for elevators, that we can exceed the limits that are in the model code, but you must set up this whole process to where you can transport them. You must have containment, ventilation, there must be signage and how it is locked out and it must be restricted. The people who are transporting this must be trained and there is a process that is spelled out, posted sequence of operations and it must be approved by the AHJ. It must be a controlled environment, and this gives them that opportunity to have a system to do that.

Chair Lee asked for clarification on the new section under the L Occupancy work group sections Section 5003.10.5 – 5003.10.6.2

Greg Andersen confirmed that it starts with 5003.10.5 – 5003.10.6.2.

Questions or Comments from the Commissioners:

Commissioner Klausbruckner stated: On page 130 of 146, Section 5003.10.5.3, "Spill containment shall be provided for all transported liquids." You may want to eventually provide clarification on the containment being for all the liquids combined, or is there spill control and you basically base it on the worst-case container in the tray or in the cart? You provide spill control for all the liquids but what is the containment size? Is it for all the combined liquids combined the amount or is it for the worst-case largest container?

Greg Andersen replied: We were looking for the worst case and we are looking at containment in a cart.

Commissioner Klausbruckner stated: Yes, you just might want to provide clarification that if you have 5 five-gallon containers it is not for 25 gallons. You want containment for all of them, but the containment amount is 5 gallons.

Commissioner Alegre stated: Page 130 and this is item number 14-7, Section 5003.10.5.2.1 and the word "gasses," one of the "S" s should be removed.

The second item is just a punctuation correction. Page 131 and this is item 14-15, Section 5003.10.6.2. After the word "maintained" there is a comma, I think that needs to be removed.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Commissioner Mikiten asked: In that last comma comment I wonder, is it supposed to be two separate clauses? That it shall be maintained and then it shall be tested upon the request of the Authority Having Jurisdiction or is it maintenance and testing upon the request of the AHJ?

Greg Andersen replied: It must be maintained throughout and then of course it must be tested by the AHJ. Then I would say we leave the comma there.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Fire Code. Commissioner Patel moved to approve Item 3c's I-Occupancy Workgroup, OSHPD Workgroup and L-Occupancy Workgroup as amended. Commissioner Stockwell seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3c: SFM 04/19 – Elevator Workgroup

Chair Lee asked the representatives from the SFM to present Item 3c’s Elevator Workgroup for proposed adoption of amendments to the 2019 California Fire Code, Part 9 of Title 24.

Greg Andersen gave an overview: The elevator group, we are bringing had in the building code in chapter 30 but there are a few additional ones. On page 17 of 146, the storage and elevator lobbies, that was approved at the International Fire Code, In Chapter 11, page 42 of 146 for the medical elevator, emergency elevator, is where the locals can approve an alteration to existing buildings when they are sizing the elevator. To meet the new standards, they would have to do a lot of demolition and a new shaft and that was not the intent, and this allows for existing buildings to improve their elevators but still look at the needs of the emergency services for their gurneys.

Then we have all the same standards and updating the standards, the NFPA standards. In 15-5 we are bringing in the NFPA to the 2020 edition. As hydrogen is a green source, we have the manufacturing, use in cars, we are bringing it to a newer standard. As the industry is evolving, we try to keep up on the standards. That is the ones in the appendixes we are just updating the editorial changes so that they matched.

Questions or Comments from the Commissioners:

Commissioner Mikiten stated: One question on the storage within elevator lobbies. Was any consideration given to any sort of signage or something that would allow the building operators and users to know that is not supposed to happen?

Greg Andersen replied: There was no signage requirement. Elevators, the lobbies are normally set up for use. And we are not talking about furniture where somebody can sit down and wait, we are talking about using it as a storage room is where the problem came in.

Commissioner Mikiten stated: In the building code requirements about usage or maintenance of elements, that somebody who is a non-code user who is a building user or leasing a building, they have no way of knowing really what the building code is, so the intent may be written down. Perhaps a fire department inspection can point that out and then direct people to the code, but people just have no way of knowing these things so putting it in the book does not necessarily change people's activity.

Greg Andersen replied: This was discussed at the ICC code hearings, and I testified on this one. Part of the problem from the fire service was they were finding this, but then

when they were challenged there is no code that says you cannot have it used as the storage room.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the SFM's proposed adoption of amendments to the 2019 California Fire Code. Commissioner Klausbruckner moved to approve Item 3c's Elevator Workgroup as presented. Commissioner Mikiten seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 3c: SFM 04/19 – Miscellaneous items - Chapter 22, Combustible Dust - Special Discussion on Item 19-11-1

Chair Lee asked the Commissioners for input on hearing the Miscellaneous items.

Commissioner Klausbruckner asked to separate Chapter 22, Combustible Dust, for discussion.

Chair Lee asked the representatives from the SFM to present Item 3c's Miscellaneous items for proposed adoption of amendments to the 2019 California Fire Code, Part 9 of Title 24.

Greg Andersen gave an overview: on page 124 the reference to NFPA 68, the Standard on Explosion Protection and Deflagration Venting, that is part of the energy storage systems group.

Chair Lee asked; which we have already taken a vote on, correct?

Greg Andersen replied: That is correct. Did you have some thoughts on that, Elley?

Commissioner Klausbruckner stated: It is under the Combustible Dust-Producing Operations. You are adding NFPA 68 to table 2204.1 which is the combustible dust chapter. There are no references on energy storage system, this is purely combustible dust. It is on page 124 of 146.

Chair Lee stated: Greg, on our groupings list I do not see this item listed on a grouping. Is it left out of Miscellaneous perhaps and we need to add it to that grouping?

Greg Andersen replied: Possibly. Looked at the ISOR. Because it is listed as part of the energy storage systems, but it is not in the grouping.

Mia Marvelli stated: I want to make sure we did not act on it already so can you just give us a couple of minutes here to sort this out.

Commissioner Klausbruckner stated: It is on page 23 of the green sheets.

Crystal Sujeski, SFM, stated: It is with the energy storage grouping in your table after 10-15.

Chair Lee stated: It was it was in with the energy storage system group, 11-1 on the group listings and it is been voted on.

Mia Marvelli stated: I am going to ask our legal counsel Viana. I think because we are still discussing this entire package, I think we can still discuss this item. Viana, if a different action must be taken on that item can we do that this time?

Viana Barbu replied: It sounds like it is an item that was already voted on, but it was not explicitly discussed, and it is going to be discussed now, right?

Mia Marvelli responded affirmatively.

Viana Barbu continued: If we have already taken action on it but it appears that we need to take a different action I would suggest voting to disapprove the previous motion and taking another vote to do something different this time. I would suggest that the Commission undoes its previous action, whatever that was, I am assuming it was to approve, and take a different action if necessary. But I would suggest not undoing the previous action until you decide if that is even necessary.

Mia Marvelli stated: Discuss it first, okay.

Mia Marvelli stated: I will just recap. On the grouped items list for Part 9 in Tab 3c, if you look at page 6 towards the top it says item 11-1, which is part of the Energy Storage System Group. It is Table 2204.1. It is NFPA 68 and it is on page 124 of the Final Express Terms. It sounds like Commissioner Klausbruckner wants to talk about that and then we need to decide if there is a different action other than approve on that item.

Greg Andersen stated: This is part of what came in from the International Fire Code. When we are looking at the technologies for energy storage systems, that is a wide range of technologies. We tend to think of lithium ion, which is common, we have the flow batteries, we have sodium, and I know that we are looking at new technologies that

we do not know yet. Some are quite elaborate, and some are compact, some are large, with a wide range of different technologies, hazards to address all of it.

Commissioner Klausbruckner stated: The combustible chapter, is the model code a lawsuit waiting to happen, in my opinion. The industry pushed to change the requirements. In the old codes, it used to say, here is a bunch of reference standards and the fire code official can require regulations within this long list of NFPA standards. Now it says the owner shall comply. In all these standards, now we are adding 68 to it, there is language that is not enforceable, there is reference from that NFPA standard to a dozen other NFPA standards and those reference a dozen other ones. There are equations where I am not sure if there is data to input to be able to even accumulate information to be able to address the regulations. This chapter, now that everything is required and not when required by the AHJ is creating a lot of difficulty and a lot of lawsuits for the AHJs, for the consultants and for the business owners. I am asking you for a study group, a group to address this chapter in the future if you can. I know adding NFPA 68 is just a drop in the bucket so if you want, I will support you on this, but I would like the State Fire Marshal's Office to take a closer look at this chapter.

Greg Andersen stated: It is in the model code, that is why we brought it in. If I had to decide, I would lean more that we bring it in because it is in the model code, but we also agree that this needs to be addressed. I prefer that it is addressed at the national level but if not, SFM will set up a workgroup

Chair Lee asked: Is there any further discussion on the possibility of reopening the vote on the Energy Storage System Group Item 11-1?

Commissioner Klausbruckner stated: I do not believe it needs to be at this time. I have asked for interpretations from ICC as to whether if the fire code reference is a standard and that standard references 20 standards, and those 20 standards reference 20 other standards each one, whether people, agencies, and code users, must research all those standards. We do not need to vote on it again.

Chair Lee stated: Thank you, Commissioner Klausbruckner. Before we close that one out, were there any other comments from any of the other Commissioners on this?

Item 3c: SFM 04/19 – Miscellaneous

Chair Lee stated: Hearing none I will move us back to the last grouping, the Miscellaneous group under Item 3c. Greg, if you could give us an overview of all those items we will go ahead and do the whole group as one.

Greg Andersen gave an overview: On page 1 we are adding the words “Scope and” Administration. That is just to address the things that are put in the chapter.

105.6, that is for the permitting requirement, so we are just adding to our list with the California language.

907.2.10.2.6, this is the same change that we did for the manual pull station for the R-4s. Again, something that is mandated by statute in the health and safety code, we put it in the building code.

Section 1030.1, that is the escape windows. The same change that we did in the building code because of the publishing error to correct that.

NFPA 15-6, some of these were done as part of the other work groups too, the language that we changed or deleted in the reference standards. NFPA 13, that is where we took out some of the things for the elevator. Mostly this was cleanup work.

On page 137, in the model code they adopted NFPA 45 and this is part of their higher education laboratories that we removed from the code because we have the L-occupancies. This one slipped in, so we are repealing it because we do not adopt NFPA 40 for labs in the state, but then we saw the reference, so we are cleaning up that issue.

NFPA 289, this had to do with some of the fireworks. But if you are looking at NFPA 1124, we had a newer edition. But because of issues at testing that ended up not being done it was removed from NFPA. We went back to the 2006 edition. Since then, NFPA has adopted the new section with the changes which is the 2017 edition, so we are adopting that.

Questions or Comments from the Commissioners:

Commissioner Santillan stated: Thank you for grouping these items together, it makes a lot more sense this way.

Commissioner Sasaki stated: A big thank you to Greg, Crystal, Mike, the rest of the folks, all the other participants, the CAC folks. Obviously, this was big, a lot of stuff, a lot of effort and we greatly appreciate everyone's efforts.

Commissioner Alegre stated: To Greg, Crystal, and all the staff, all the fire personnel, stakeholders involved. This is a huge package to review and as an enforcement in the inspection field it will make things a little easier for us to follow.

Commissioner Stockwell stated: Thank you for all the hard work.

Commissioner Patel stated: I did want to thank Greg and Crystal and the staff as well, but I also wanted to say that I very much appreciate all the comments that the Commission received from the public saying what an open and participative process that you had. It is always nice when the public calls in and says they feel included in the process so thanks to you for making that happen.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Gary Fabian responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the SFM’s proposed adoption of amendments to the 2019 California Fire Code. Commissioner Santillan moved to approve Item 3c’s Miscellaneous items as presented. Commissioner Mikiten seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Agenda Item 4. California Building Standards Commission (4a-4b)

Item 4a. California Building Standards Commission (BSC 01/19)

Chair Lee asked the representatives from the BSC to present Item 4a, proposed adoption of amendments to the 2019 California Administrative Code, Part 1 of Title 24.

Mike Nearman, Deputy Executive Director, gave an overview: Our goal for this amendment package was to provide clarity regarding specific provisions relative to the Administrative Procedures Act requirements for mailing notices. Additionally, we addressed state adopting agency rulemaking responsibilities and we provided some clarification regarding the process used at the local jurisdiction level to calculate the building standards administrative special revolving fund. Lastly, we incorporated various editorial improvements for clarity and consistency purposes. This package started the process and was heard by the Building, Fire & Other and Structural Design/ Lateral Forces Ad Hoc Code Advisory Committee that was held on March 17-18, 2020. All the proposed items were recommended by the Code Advisory Committee as Approve as Submitted with no variations. Following the Code Advisory Committee review we prepared the BSC Part 1 proposal for a 45-day public comment period, which started on April 24 and ended on June 8 of this year. This proposal did not receive any public comments.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Gary Fabian responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the CBSC's proposed adoption of amendments to the 2019 California Administrative Code. Commissioner Sasaki moved to approve Item 4a as presented. Commissioner Santillan seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 4b. California Building Standards Commission (BSC 02/19)

Chair Lee asked the representatives from the BSC to present Item 4b, proposed adoption of amendments to the 2019 California Building Code, Part 2 of Title 24.

Timothy O'Malley and Gary Fabian gave an overview: BSC proposes to update the 2019 California Building Code (CBC) with the necessary amendments for codification and effectiveness into the 2019 mid-cycle supplement of the CBC. BSC's amendments primarily addressed their adoption of the tall wood building provisions that have been developed for the 2021 edition of the International Building Code. Pursuant to the previously cited Executive Order B-52-18 by Governor Brown, BSC is proposing to incorporate language developed by the International Code Council pertaining to tall wood buildings for inclusion into the CBC. BSC proposes these standards in a multiagency coordinated effort with the Office of the State Fire Marshal (SFM), the Division of the State Architect, Structural Safety, and the Department of Housing and Community Development. This language will be published and printed in the 2021 edition of the International Building Code. Subsequently, these amendments will become part of the 2022 CBC by means of the model code adoption process. BSC's proposal and coadoption of these items is dependent upon the State Fire Marshal's adoption in the 2019 intervening code adoption cycle.

Item 5 BSC is proposing an amendment to Chapter 31, an advisory note in Section 3109.2 regarding the Swimming Pool Safety Act to align with the current state law more closely.

Item 6 BSC proposes to include reference standards regarding cross laminated timber products and specification in tall wood buildings for field-gluing adhesives in wood frame floor construction.

Several favorable comments in broad support for the tall wood provisions have been received from industry stakeholders as well as fire prevention agency personnel.

Questions or Comments from the Commissioners:

Commissioner Alegre stated: On page 4 of 6, section 1705.20. I believe the first word of that sentence should be “periodic.” It currently reads “Period special inspections ...” I believe it should be “periodic special inspections.”

Timothy O'Malley stated: Correct, we will make the editorial change.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the CBSC’s proposed adoption of amendments to the 2019 Building Code. Commissioner Mikiten moved to approve Item 4b as amended. Commissioner Santillan seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

A recess was taken.

Agenda Item 5. Division of the State Architect – Structural Safety/Community Colleges (5a-5b)

Item 5a. Division of the State Architect – Structural Safety/Community Colleges (DSA-SS/CC 01/19)

Chair Lee stated Item 5a was proposed adoption of amendments to the 2019 California Administrative Code, Part 1 of Title 24. Chair Lee asked the representatives from the Division of the State Architect to introduce themselves and present Item 5a.

Jim Hackett with the Division of the State Architect, Ryan Huxley and Diane Gould gave an overview: DSA has the authority for public schools K-12, California community college buildings, state-owned and state-lease essential service buildings. We are here before you today to present our 2019 Administrative Code package as part of the intervening code for Title 24. The provisions that we would intend to discuss were submitted as a draft to various stakeholders. Architect Institute of America (AIA), in California chapter; the Structural Engineers Association of California (SEAOC), their code committees reviewed our package and our intended proposals. We held a public meeting on November 18, 2019, of which there were no comments received from either the reviewing groups or at the public meeting. At the Code Advisory Committee all

sections were approved as submitted and in the 45-day public comment period starting April 24 through June 8, 2020. There were no public comments received. We have the signed 399 for you as well as a signed nine-point criteria from the State Fire Marshal.

Significant provisions in Chapter 4, our Group 1, and Group 2 provisions. It is to repeal the provision for egress, which we had added in the 2019 California code and this is in Section 4-306. We had added a provision that turned out to conflict with the California Building Code (CBC) and the California Existing Building Code (CEBC). DSA is aligning our triggering sections and modifying our Section 4-309(a) to align with the provisions of the 2019 International Existing Buildings Code by increasing the design force that would otherwise trigger a retrofit of existing members.

There are also some editorial corrections that we have had to make as well as Provisions in our 4-317 administrative regs that require design professionals to submit paper plans and paper calculations, to allow the use of electronic submittals of our projects.

Questions or Comments from the Commissioners:

Commissioner Sasaki stated: I have a question on Item 2 on page 2 of 3. This is not in the change but just in the title of that section. It says, Section 4-309(a), reconstruction or alteration projects. Is there a definition of “reconstruction” and how is that definition of reconstruction different than the definition of “repair” in the CEBC?

Jim Hackett stated: Reconstruction is defined in our Part 1 regulations. It is really intended for damage that has occurred to the structure in a major way after a seismic event or a wind event, something of that nature, it could also be after fire where the building has burned down, so we are looking at actually more of a reconstruction of the building itself. Repairs are an item where elements are to a lesser extent than reconstruction.

Commissioner Sasaki stated: For example, if you had a building that was completely leveled, either by a fire or a wind event, the walls are no longer up they are down on the ground, for example. That would be reconstruction?

Jim Hackett replied: Yes.

Commissioner Sasaki stated: A large school building with multiple wings and a classroom, a lab classroom, the roof caught fire. We would use the CEBC, to repair the roof for fire damage, right? As a code user that would cause us to go under the repair section of the CEBC and figure out what requirements are under the repair section of the code.

Jim Hackett stated: Currently we do not adopt much of the repair section within the CEBC; Starting on the 2022 California Building Code this fall so we are already looking

at that and agree repair needs further definition in our administrative code as well as the CEBC of what we adopt. That is an agenda item for this upcoming cycle.

Commissioner Sasaki stated: Yes, I think there is confusion out there. There are folks obviously who deal primarily with DSA and then there are folks that deal with DSA and regular buildings and there is always confusion when you are using two different parts of the code.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the DSA's proposed adoption of amendments to the 2019 California Administrative Code. Commissioner Sasaki moved to approve Item 5a as presented. Commissioner Mikiten seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 5b. Division of the State Architect – Structural Safety/Community Colleges (DSA-SS/CC 02/19)

Chair Lee stated Item 5b was proposed adoption of amendments to the 2019 California Building Code, Part 2 of Title 24. Chair Lee asked the representatives from the Division of the State Architect to introduce themselves and present Item 5b.

Jim Hackett with the Division of the State Architect, Ryan Huxley and Diane Gould gave an overview: DSA has the jurisdictional authority over California's public schools K-12, California community colleges and state-owned and state-leased essential service buildings. We are here to present our package for Part 2 of the 2019 Intervening California Building Code.

The Part 1 regulations we also did outreach again to the AIA and SEAOC here in California as well as some additional entities with a laboratory group of members. We also have certified project inspectors that we have met with and shared these provisions with as well as some other industry groups, including the American Shotcrete Association who we worked with on these regulations. We held a public meeting on November 18, 2019, of which there were no public comments made during the public meeting. We also incorporated whatever comments came to us through AIA and SEAOC during that process.

The Code Advisory Committee (CAC) came through with approved as submitted on all but two of the sections. The exception was for items DSA-SS/CC, 02/19-14-2, which was added post-CAC committee based upon the comments from the American Wood Council (AWC) recommending updating a reference to the ANSI/APA PRG standard which is at 320-18. Those two sections were incorporated in 19-14-2. As far as the 45-day comment period there were two public comments that were received from a gentleman named Jack Howard of JH Engineering representing himself and a company called Sturdy Steel; these are manufacturers of bleachers and grandstands. The issue was discussed for the same as for chapter 16 and chapter 16(A) and that is where the two public comments came from. This was requested to DSA by considering a lesser of the 2019 IBC model code provisions that we were actually not amending so we did not accept, or we disagreed with the request for this proposal to make a change and we did not make this change. The package was approved under standard 399 and they have been assigned by all the department agency and Department of Finance, which you should have in front of you, as well as the nine-point criteria from the State Fire Marshal.

The provisions that are in front of you, really the majority of them are from the tall wood building provisions that you have heard that were recently adopted for the State Fire Marshal (SFM) as well as the Building Standards Commission (BSC). Early adoption of the tall wood buildings provisions in the 2021 IBC we did in collaboration with the SFM as well as the BSC and in most of those provisions our language is identical with theirs. DSA also participated throughout the SFM workshops as Greg Andersen had described. While the previous edition of the CBC includes allowances for the use of CLT these provisions in this package provide improvements to the use of the mass timber and provisions for special inspections and material quality controls.

The provisions in this proposal pertaining to the tall wood buildings and mass timber in our items 1, 2, 6, 7, 8, 12, 13 and 14 and all their respective sub-items within those items. Any of the items that are to be adopted in the 2021 IBC that will end up being duplicative with the IBC we will intend to repeal in the next code cycle so that the model code provisions will prevail.

Other provisions that we addressed were aligning structural load combinations for the design of bleachers, grandstands, and telescoping seating with the current version of the International Code Council 300 standard. Those are found in our Items 3 and 4. In Item 9 of our package editorial revisions were made to chapter 18A for soils and foundations for clarity purposes. In items 10 and 11 existing amendments were added to current industry standard practices for shotcrete to update those provisions in our chapters 19 and 19A both.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider the DSA's proposed adoption of amendments to the 2019 Building Code. Commissioner Santillan moved to approve Item 5b as presented. Commissioner Patel seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Agenda Item 6. Department of Housing and Community Development (6a-6c)

Chair Lee stated the next three agenda items are the Department of Housing and Community Development, 6a-6c.

Item 6a. Department of Housing and Community Development (HCD 01/19)

Chair Lee asked the representatives from the Department of Housing and Community Development to introduce themselves and present Item 6a.

Emily Withers, Codes and Standards Administrator II, Tom Martin and Kyle Krause gave an overview: The proposed changes to the California Building Code (CBC) were discussed at a focus group meeting on September 20, 2019. The codes were presented to the California Building Standards Commission's Building, Fire & Other and Structural Design/Lateral Forces Ad Hoc Code Advisory Committee (CAC) on March 17-18, 2020. For the CBC the CAC recommended Approve as Submitted on HCD's code change proposals for the 2019 CBC except for Item 1, which is section 1.1.9 of Chapter 1 addressing retroactive permits and Item 9 addressing excavations and noticing; the CAC recommended Further Study for these items. HCD accepted the recommendation and revised these sections to provide simple references to the statutory sections and provisions instead of summarizing the provisions. Item 10-2 which is the ANSI/APA PRG 320-18 was added during the CAC to the CBC. The public comment for the building code was April 24 through June 8, 2020. The Express Terms text with any changes resulting from the CAC recommendations were made available to the public for a 45-day public comment period. No public comments were received on the proposed changes to the 2019 CBC therefore no changes were made to the Express Terms for this code. HCD submitted an addendum with changes for the definition of Accessory Dwelling Unit. This is a result from our recommendations from the prior Building Standards Commission meeting in July.

The State Fire Marshal and DSA we are co-adopting some tall wood sections with those agencies. For our committee action matrix those are items 3, 4, 6, 7, 8 and 10. We will also be making the change in Section 1705.20 by changing the “period inspection” to “periodic inspection.”

Questions or Comments from the Commissioners:

Commissioner Mikiten stated: No questions but thank you for catching the change to the Accessory Dwelling Unit definition to strike the details at the end that we went through at the July meeting.

Commissioner Alegre stated: This is on page 9 of 10. Section O103 Emergency Housing and it is the addition of the minimum interior floor area being reduced to 53 square feet. Can you explain why the number 53 square feet was used as opposed to maybe 55 or 60? It seems like an arbitrary number.

Emily Withers responded: A request from the Governor's Office to look at other structures, commonly used size structures that could be used for emergency housing. One of the dimensions that came up was, for example, an 8 by 8 foot shed, and that would be exterior dimensions. Where we came up with the 53 is, we took out some allowance for the studs and we took out some allowance for the finished material like the drywall and we reduced that 8-foot dimension by that amount; it came to about 53 feet.

Kyle Krause stated: It is much more economical to construct an emergency sleeping cabin out of readily available materials without ripping sheets of siding in half. Two 4 by 8 panels that are 4 feet wide, so applying those to an 8 by 8 exterior dimension structure is more economical to build emergency housing shelters. As Emily explained, if you deduct the wall thickness from that 8 foot by 8-foot dimension it leaves approximately 53 feet interior clear floor space.

Emily Withers stated: That proposal is duplicated in our residential code.

Commissioner Alegre stated: Okay, Thank you.

Questions or Comments from the Public:

Bob Raymer representing the California Building Industry Association and the California Apartment Association stated: In strong support of this HCD package. Thank you.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman stated: As Emily mentioned there were general comments to all the tall wood revisions in support and they addressed the Fire Marshal, DSA, BSC and HCD altogether.

Commissioner Mikiten stated: Kyle, I was helping a group working on emergency housing just as of this week and they were struggling with sizes. What application does CALGreen energy requirements have for emergency housing, based on an 8 by 8 floor plate and if it was 2 by 6 walls to get sufficient insulation, then it would be less than 53 square feet. When I did 3.5-inch studs with .5-inch chipboard inside and .5-inch plywood outside that would be 52 square feet. I was just wondering if I could get more insight into that and I wanted to make sure that the intention of 53 is not made impossible by doing 2 by 6 studs if that might be required.

Kyle Krause stated: The draft proposal was based on 2 by 4 exterior studs as there are likely no energy provisions that would apply to emergency sleeping cabins. They are unconditioned buildings, there is no mechanical ventilation. We are talking about a sleeping shelter, a very basic structure with a door, a window, and no required compliance with Part 6.

Motion: Chair Lee entertained a motion to consider HCD’s proposed adoption of amendments to the 2019 California Building Code. Commissioner Klausbruckner moved to approve Item 6a as amended. Commissioner Stockwell seconded. Motion carried 6 yes, 0 no, and 1 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell. The following Commissioner voted “Abstain”: Alegre.

Items 6b. Department of Housing and Community Development (HCD 03/19)

Chair Lee asked the representative from the Department of Housing and Community Development to introduce herself and present Item 6b.

Tom Martin introduced himself and gave an overview: Public focus group meeting the same time as building and existing building code on September 20, 2019. The CAC and had everything approved as submitted except for the one item, the change to the definition of Accessory Dwelling Units that Commissioner Mikiten had suggested, so we have made that change in the residential code too.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

Bob Raymer on behalf of the California Building Industry Association stated: We are in strong support of HCD's adoption of these California residential code provisions. Thank you.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider HCD's proposed adoption of amendments to the 2019 California Residential Code. Commissioner Sasaki moved to approve Item 6b as amended. Commissioner Mikiten seconded. Motion carried 6 yes, 0 no, and 1 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell. The following Commissioner voted "Abstain": Alegre.

Item 6c. Department of Housing and Community Development (HCD 07/19)

Chair Lee asked the representative from the Department of Housing and Community Development to introduce herself and present Item 6c.

Emily Withers gave an overview: The proposed changes to the 2019 California Existing Building Code were discussed at a focus group meeting held on September 20, 2019. The codes were presented to the California Building Standards Commission's Building, Fire & Other and Structural Design/Lateral Forces Ad Hoc Code Advisory Committee on March 17-18, 2020. For the CEBC the Committee recommended approve as submitted on HCD's code change proposals for the 2019 California Existing Building Code except for Item 1 Section 1.9 In Chapter 1 California Administration. HCD accepted the recommendation and revised the section to provide a simple reference to the statutory section and provisions instead of summarizing the entire provisions. The Express Terms text with any changes resulting from the Code Advisory Committee recommendations was made available to the public for a 45-day public comment period from April 24 to June 8, 2020. No public comments were received on the proposed changes to the 2019 California Existing Building Code; therefore, no changes were made to the Express Terms due to the public comments. HCD submitted an addendum with changes for the definition of Accessory Dwelling Unit and this was a result from similar changes which were recommended for that definition at the July meeting of the Commission.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

Bob Raymer on behalf of the California Building Industry Association stated: We are in strong support of HCD's adoption of Part 10. Thank you.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider HCD's proposed adoption of amendments to the 2019 California Existing Building Code. Commissioner Patel moved to approve Item 6c as amended. Commissioner Mikiten seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Agenda Item 7. Office of Statewide Health Planning and Development (7a-7b)

Chair Lee announced the next two items are the Office of Statewide Health Planning and Development rulemaking, agenda items 7a-b.

Items 7a. Office of Statewide Health Planning and Development (OSHPD 03/19)

Chair Lee asked the representatives from the Office of Statewide Health Planning and Development (OSHPD) to introduce themselves and present Item 7a.

Roy Lobo, Principal Structural Engineer and Richard Tannahill, Supervisor of the Building Standards Unit, gave an overview: Item 7a, our proposed changes to the 2019 California Building Code Part 2 Volume 2. The proposed action is to make technical amendments to Title 24, Part 2, Volume 2 and includes clarify which equipment is required to be anchored based on the equipment classification and the location of the equipment, clarification of provisions for piping and tubing systems with an importance factor of 1.5 to align with model code requirements, carry forward and amend existing California amendments related to the code intent regarding periodic special inspection, as well as clarification of which equipment/ component requires special seismic certification. We made editorial changes to Chapter 21. We are adopting ANSI/AISC 358-16 Supplement 1 with amendments to Chapter 22, this is for the sideplate bolted connection, aligned maintenance of earthquake recording instrumentation with model code requirements in Appendix L.

Part 2, Volume 2 building code proposed amendments were presented to the Health Facilities Code Advisory Committee on March 17-18, 2020. We received an approved as submitted on all items. We went through the 45-day public comment period, April 24 through June 6. We received one comment for one of our amendments to Chapter 21 based on the public comment received in the 2018 Triennial Cycle stating that the

provision is not enforceable since the compliance for air entrainment substances is not defined in the code. OSHPD reviewed and determined no change was needed as we only changed the word “substances” to “materials or air-entrainment admixtures”, which is a defined term in Emergency Medical Services (EMS) and not the context of the code. Thank you for your time and consideration for approval of item 7a, we happy to answer any questions.

Questions or Comments from the Commissioners:

No questions or comments from the Commissioners.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider OSHPD’s proposed adoption of amendments to the 2019 California Building Code. Commissioner Klausbruckner moved to approve Item 7a as presented. Commissioner Santillan seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Item 7b. Office of Statewide Health Planning and Development (OSHPD 07/19)

Chair Lee asked the representative from the Office of Statewide Health Planning and Development to introduce himself and present Item 7b.

Richard Tannahill and Roy Lobo gave an overview: The proposed action is to make technical amendments to Title 24 Part 10 and includes provisions and definitions for operations and maintenance of hospital facilities, and reconfiguration and clarifications for several subsections in Section 305, 305A and 309A to coordinate the buildings being removed from acute care services. To be consistent with the chapters to which they apply such as moving non-hospital requirements from the A hospital chapter to corresponding non-A chapters.

Part 10 of the building code was presented to the Health Facilities CAC on March 17-18, 2020. We received approved as submitted on all items except Item 7/19-2-1 and that item was withdrawn. We went through a 45-day public comment period April 24 through June 6, no further comments were received.

Questions or Comments from the Commissioners:

Commissioner Sasaki stated: Thank you for putting back, the non-OSHPD definition of substantial structural damage.

Questions or Comments from the Public:

No questions or comments from the public.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded no written comments were received prior to the meeting.

Motion: Chair Lee entertained a motion to consider OSHPD’s proposed adoption of amendments to the 2019 California Existing Building Code. Commissioner Sasaki moved to approve Item 7b as presented. Commissioner Mikiten seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Agenda Item 8: Division of the State Architect – Accessibility (DSA-AC 01/19)

Chair Lee stated: Our next agenda item is the Division of the state Architect accessibility rulemaking DSA-AC 01/19, proposed adoption of amendments to the 2019 California Building Code chapter 11B.13, 11B.27 and 11B.44, Part 2 of Title 24. The Commission took action at its July meeting on most of the DSA-AC proposed amendments to chapter 11B but these items were held for the August meeting so a second 45-day comment period could be conducted on these items.

Chair Lee asked the representatives from the Division of the State Architect to introduce themselves and present Item 8.

Ida Clair, Acting State Architect and Principal Architect for Accessibility, and Derek Shaw, Supervising Architect, gave an overview: The proposed new and amended Electrical Vehicle (EV) regulations developed from code change proposals submitted by various stakeholders including code enforcement entities, EV charging station industry and identified by DSA staff as needing change for clarity and consistency of code application. We collaborated with the EV industry charging groups as well as our Access Code Collaborative and had two public meetings regarding these proposed amendments.

Derek Shaw gave an overview: There are three items, Item 11B.13, 11B.27 and 11B.44 that are part of a larger package or group of items that have been submitted to the Commission for review. These items in the second 45-day comment period, were additional comments that we had received late during our regular calendar. DSA

proposed in Item 11B.13 to retain the language that we have had previously. A few of the comments that we have received from the electric vehicle charging industry we were unable to address completely to their satisfaction. These comments were primarily about the proposed amendments to Section 11B-228.3.2 and Item 11B.13. The concern from the charging community was that that because of the greater number of facilities that a greater level of accessibility would be required under the new terms of this language.

DSA has made additional amendments to help alleviate the main concern of industry, which was that, for example, where you have two different levels of charging with different connector types that you have two facilities; and that in two facilities each facility baseline bare minimum is that for accessibility, a van accessible space charging station would need to be provided. Where you have two facilities you would have two van accessible charging stations. The comments against our item have said that requiring two van accessible charging stations takes up additional real estate square footage and it adds additional cost to the projects. DSA does not necessarily agree with that point. We acknowledge that it may add costs in some projects, but that primarily if they are providing two different levels of service and have an obligation under federal accessibility law under the Americans with Disabilities Act to provide those services excessively, then they may already be obligated to provide that level of accessibility that they are concerned about, accessibility at each facility.

The additional amendment during the second 45-day comment period was to add the exception in item 11B.44 under Section 11B-812.7.1 that indicated “Where four or fewer total Electrical Vehicle Charging Stations (EVCS) are provided within a facility, the access aisle for non-angled van accessible spaces may be located on either the driver or passenger side of the vehicle space.” What that allows and the benefit that it provides to reducing any impact on the square footage required for a project is that where the van accessible EVCS are provided this exception that is proposed would allow one if they were non-angled van accessible spaces then the access aisle would be allowed to be provided on either the driver or the passenger side of the vehicle.

There were I believe two other comments that were received that were about the language in that exception in Section 11B-812.7.1, specifically the use of the term non-angled van accessible spaces. As I recall the comments, they indicated that non-angled parking was not a term that was typically used and would not be understood and that furthermore that DSA was not proposing a definition for that to address that need for clarity. Non-angled parking is certainly a variation of a term that is very commonly used in building departments and planning departments throughout the state and that being for angled parking.

Questions or Comments from the Commissioners:

Commissioner Patel stated: When you look in the building code under the table for the EVCSs it talks about the total number of EVCSs at a facility, so I always think of the public housing facility itself. Then when we put in the new language it talks about the

combination of the charging level and the EV connector type constitutes a facility as well. The term “facility” is used in different ways in that same provision so any guidance you can provide for that would be great.

Derek Shaw asked: Commissioner, do you seek that guidance in our Guidance Manual or currently right now in response to your statements?

Commissioner Patel replied: No, at this time I am fine if you put it out in the manual later.

Derek Shaw stated: Okay, good. Thank you.

Commissioner Mikiten stated: I think I agree with you that the non-angled is descriptive enough. It sounds a bit backwards as opposed to saying something in the positive and I am curious if there was a particular reason not to just say “perpendicular.”

Derek Shaw replied: Perpendicular brings with it its own issues. Does perpendicular allow some minor deviation from a 90-degree angle from the curb at the nose end of a stall, which is where the line would be measured to? Zero-degree parking was another possibility that we had contemplated as well. But non-angled parking was selected for that.

Commissioner Mikiten stated: All planning departments in their diagrams that they provide and so forth show angled parking as what we would naturally think of this as angled; and if you have something that is a 5-degree parking because of a curving curb or something that would not be considered angled.

I experience with our electric car and not having necessarily access to all the different types of charging stations with an excess aisle, so I am glad to see that being repaired. If it is not a substantive change, if we were to just include in your parenthetical statement of AC Level 1, AC Level 2, DC Fast Charge, to just at the beginning of that say “such as.” So then if AC Level 3 comes out next week it is clearly covered.

Derek Shaw stated: That text is intended to be examples. Certainly, if additional types of charging capacity or rate of transfer were introduced, we would expect those to be also considered as a facility and we would expect accessibility at those facilities as well.

Commissioner Mikiten stated: That’s all. Thank you.

Commissioner Sasaki stated: Diagrams, pictures, figures, those will be helpful for code users and I am sure building officials.

Derek Shaw stated: The guidance material would be the perfect place for those sorts of illustrations, figures. We can discuss how aspects of the code apply to different scales, different sizes of facilities as well.

Questions or Comments from the Public:

Francesca Wahl, speaking on behalf of Tesla, stated: As you may know, Tesla is a California-based EV manufacturer and provider of EV charging infrastructure with over 160 fast charging stations and 2300 connectors in California. I am going to be focusing both on item 11B.13 where Tesla recommends the Commission does not approve this item and instead study it further and then Item 11B.27 and 11B.44, which Tesla does recommend the Commission approve. In terms of background, as you know California has very ambitious climate and transportation electrification goals including the deployment of 250,000 EV charging stations including 10,000 fast chargers by 2025 to support the 1.5 million zero emission vehicles that are targeted.

Kristian Corby, Deputy Executive Director of the California Electric Transportation Coalition (CalETC) stated: CalETC is a nonprofit trade organization that is committed to the successful introduction and large-scale deployment of all forms of electric transportation. CalETC supports and advocates for the transition to a zero-emission transportation future.

California, as my colleague from Tesla said, California has very ambitious climate transportation electrification goals. Most notably, California has a goal of deploying 5 million zero emission vehicles by 2030. CalETC recently released a white paper that models the charging needs for these 5 million electric vehicles and in order to meet our goals we will need to build between 30,000 and 97,000 public charging sites by 2030. So, assuming 230 working days per year, that equates to building roughly 10 to 40 sites per day between now and 2030. Again, that is 10 to 40 sites per day. So, we urge the Commission to balance the impact of these regulations with the urgent imperative to meet the state's goals for electric vehicles, reduce greenhouse gas emissions and protect the health of our communities.

CalETC fully supports fair and equal access to charging stations. California has sent these strong messages that we are going electric and everyone needs to be included. Our concerns with the proposed regulations center around two problems. First, we believe that the regulation is too limiting when the industry is very new and charging levels and combination sites have not fully been vetted and developed. And second, that this regulation is too complicated and will cause local jurisdictions to enforce it in many ways, which may end up not providing fair and equal access. Specifically, the proposed regulation creates confusion and unnecessary complexity because each charging level, Level 1, Level 2 and DC Fast Charging, and each different connector type results in a distinct facility.

CalETC recognizes the importance of providing access to EV charging stations. We request the Commission not adopt this regulation today so that we can continue to work with staff to develop a more effective rule.

Brandon Garcia spoke on behalf of the Electric Vehicle Charging Association (EVCA). EVCA is a member-based trade association of diverse charging companies wanting to increase charging stations in California.

Comment on two items, 11B.13 and 11B.24. First will be Item 11B.13. I would like to echo the comments made by CalETC and Tesla. We would ask the Commission to not approve 11B.13 and instead send it back for further study. The EV and EV charging industry is still in its infancy. Just like any other industry we are developing diverse practices that supply market demand. As was stated earlier, the industry has not determined a standard connector for Level (LV) charging, also known as Direct Current Fast Charging (DCFC). This is because there are many different connector standards for different levels of charging. We think that given the technology that is continually evolving and as the industry is still finalizing a standard it is premature to approve item 11B.13 and will only serve to hurt charging deployment.

Item 11B.44 we support DSA's modification as it provides some flexibility for smaller stations to the sharing of an access aisle for two vans. The modification enables greater flexibility. However, while we support item 11B.44 the modification has not sufficiently addressed concerns and the Code Advisory Committee recommended further study on item 11B.13. For these reasons we have a position of not approving 11B.13 and supporting 11B.44.

Cameron Flynn on behalf of EVgo stated: EVgo is an LA-based company in the nation's largest network of public EV fast charging stations with more than 800 locations across the country, about half of which are in California. My comments today focus on Item 11B.13 where EVgo echoes many others in recommending that the Commission not approve this item and rather send it back for further study and Item 11B.44 which we recommend the Commission approved.

While these items are related, for Item 11B.13 we do believe that DSA and all stakeholders will benefit from further study of this issue and meaningful engagement with the EV industry to attempt to achieve a consensus update. This type of change proposed in 11B.13 can have a dramatic impact on the EV charging industry, and with California's ambitious climate and transportation electrification goals it is critical to get this right. As a provider of fast charging EVgo has been working expeditiously towards meeting the 2018 California zero emission vehicle action plan goal of installing 10,000 DC fast chargers by 2025.

DSA's proposed modification in 11B.44 allows access aisles to be located on either side of non-angled van accessible spaces and allows two adjacent accessible spots to share an access aisle. While we support Item 11B.44, this modification alone does not adequately address our concern that extends to item 11B.13. Ultimately EVgo believes it would be beneficial for more study and stakeholder engagement on 11B.13 to make sure we can provide fair and equal access to EVCS while also meeting California's Zero Emission Vehicle (ZEV) action plan goals simultaneously. Again, EVgo recommends further study on item 11B.13 regarding the different levels of charging and connector types on one site and that the Commission approve Item 11B.44 regarding the access aisle for two van accessible spots.

Tony Gonzalez stated: On behalf of Electrify America, which has made an \$800 million investment commitment in EV charging infrastructure and ZEV education and awareness in the state of California over a 10-year period beginning in 2017.

I respectfully request that this item be sent back for further study in order to allow stakeholders to fully engage with the staff at the Division of the State Architect to adopt more comprehensive solutions to enable robust, efficient, and consistently applied ADA access at EV charging stations.

We respectfully encourage the Commission ask for a robust record to be built and to encourage a thorough regulatory engagement process with stakeholders to ensure the following: 1) That substantive comments receive a written response in the record, which has not happened in the process so far. 2) That a statement of reasons be recorded that provides further explanation for the regulatory changes' intent. And 3) That guidance documents interpret this code change before the code is finalized and accompany the final approval, thereby avoiding any confusion as to how the code must be interpreted.

Chair Lee asked BSC staff if there were any written comments submitted prior to the meeting.

Mike Nearman responded: There were two, one from Independent Accessibility Advocates that DSA discussed regarding the non-angled and perpendicular topic. There was another one received from Michael Ehlers regarding a section that was not proposed for this comment period.

Questions or Comments from the Commissioners:

Commissioner Mikiten stated: The 11B.44 perpendicular discussion, I did not say this, but I request that DSA also include that in their advisory manual, which is very regularly used by architects so I think it will clarify that sufficiently. I think that if we are in fact building 10 to 40 sites per day, as the caller stated, then that is more reason to act now and do what I see as protecting access. The DSA advisory manual can certainly help to clarify anything that people might construe as confusion in this, but I think it is self-explanatory, but I would make that suggestion. I make a motion to approve DSA's proposal with the addition of the words "such as" in the parenthetical statement in Section 11B-228.3.2.

Commissioner Sasaki asked: If we send 11B.13 back, after further study the soonest we could get that language into the code would be the next full cycle? What would be the schedule?

Mia Marvelli stated: Yes, the effective date would be January 1, 2023.

Commissioner Sasaki stated: Fair access, I am not an accessibility specialist, but I get the basics of it. You have got to provide accessibility.

Commissioner Mikiten stated: The ADA, I fully believe that this requirement that is being proposed is completely consistent with the intent of the ADA, as it is now and as it has been for 30 years as of two weeks ago, so I do not see this as a new imposition of anything, I just see it as a clarification of it for the building code so that people do it right.

Commissioner Patel stated: The industry makes a good argument. But my concern would be that if we look at the infrastructure in place for these parking stalls, understanding that the technology is always going to evolve, my concern if they are not accessible now, they will not be accessible in the future and I think it is going to be this issue as we move forward DSA's recommendations.

Motion: Chair Lee entertained a motion to consider the Division of the State Architect's proposed adoption of amendments to the 2019 California Building Code. Commissioner Mikiten moved to approve Item 8 as amended. Commissioner Sasaki seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Agenda Item 9. Executive Director Report

Chair Lee stated Executive Director Mia Marvelli will provide an overview of commission business.

Mia Marvelli gave her report: Acknowledged a Mr. Gary Fabian's retirement here at our office. He joined the California Building Standards Commission a few years ago as an Associate Architect, it was in 2016. It has been four years now, previously he worked for the California Energy Commission where he developed educational materials and conducted training for their education and outreach unit. This is one of the reasons why we hired him, his confidence at public speaking, his knowledge of the Energy Commission's process. The main reason, as you all know, was his 40 years prior service in the architecture field dealing with public works projects, his vast knowledge of architecture. For the Building Standards Commission to be able to bring someone to the team that has his type of historical knowledge of the building codes, his rolodex of colleagues in the industry from architects to engineers and design and construction and also building officials out there, this was a huge gift to us. We knew we had a real treasure on week two when he was working for us when he decided to ask the staff if it was okay if he could switch the swing on the refrigerator door because it did not swing properly in the break room. I think all of you architects and engineers out there know that you cannot have the door swing the wrong way in the kitchen. In addition to assisting Mike with at least two code cycles, Gary was instrumental in the adoption of the emergency regulations for exterior elevated elements and that was a huge lift for our office. Gary is a treasure. He is a person who is always willing to share his knowledge. He is very calm; he is very collected, and I think we all look to him as a wonderful person to emulate. Thank you for coming to our office.

Mike Nearman stated: I just wanted to mention how much help Gary has provided to our process, not just in general but to me specifically. Running the cycle, taking over and managing staff and assisting with keeping us moving through these complicated packages we seem to have had in the last few cycles. With his background at the Energy Commission, his education and outreach skills, he really helped us a lot with the outreach that BSC provides. He did a lot of educational videos, so he is going to live on at BSC for many years.

He is an architect, but he does a lot of things outside the office, he has built several sheds now, he is on his third one. He gets very excited. He gets a big package in the driveway and he cannot wait to get home to do it. I call him the major weekend warrior because he comes in limping and in pain because of all the extra effort he did during the weekend. But the results are awesome; he really has a beautiful place.

I am glad that he is going to have time in his retirement to do all the things he wants to do, BSC is going to be really sad because we are going to miss somebody who really has added some fun and knowledge and given us some really good feedback on our process. So, thank you, Gary, and good luck in retirement. And do not be a stranger, we would love to see you.

Commissioner Sasaki stated: I would like to echo all those sentiments about Gary. We have really relied on his experience and expertise, he really helped in the exterior elevated elements regulations getting that going. His calm demeanor under difficult conditions, in chaos and those things, all greatly assisted in moving things forward, which is really what we have got to do, move things forward. Gary, thank you very much. We wish you happy shed building for many years to come.

Mia Marvelli continued: We will have one more meeting in October. There are a couple items that went out for further study for DSA Access and we will hear those in October. The reality is we have pretty much completed this intervening cycle. Staff, without Gary, will be blending all of these items and getting them to the publishers. I want to really thank the state agencies this cycle, every cycle, but this cycle we had several challenges, not just COVID. We had some hurdles to get through with the reformatting that we started last year in our discussions. The state agencies were extremely cooperative and flexible with working with us on those format changes and some of those needed to evolve as we learned more about the accessibility provisions for web posting, so we will continue to work on that.

The BSC staff is committed to conducting state agency rulemaking training again. I know we are already starting the 2021 triennial cycle. I would like to acknowledge all the code advisory committees that reviewed the packages for their technical merit. The many, many folks that provided public comments this year, this cycle, and of course, the BSC staff who worked diligently to get these packages ready for your review and approval. Part of that was changing our entire way of how we conduct meetings so that took a huge hurdle for the admin staff. Last minute fixes on what software was the best software and the best approach so that we had a transparent public process that did not

disrupt too much how it was conducted in the past and I think we have found some enhancements to that along the way. Thank you, staff, for that.

As Jim Hackett earlier said, we are already looking at code changes for the 2021 triennial cycle. IAPMO has already published its Uniform Plumbing Code and Uniform Mechanical Code and that was in February of 2020. The International Code Council is publishing its various I Codes in October of this year. Please add yourself to the various proposing state agency databases, so the State Fire Marshal, Housing and Community Development, DSA and OSHPD, to receive workshop notifications, those notices are conducted by the state agencies and then also add yourself to the Building Standards Commission database to receive the rulemaking process.

We will be reconstituting the six code advisory committees and so you will see a call for applications sometime in November so watch for that.

Staff here will be conducting a coordinating council meeting in September the date has not been yet determined so stay tuned it will be late September. During that meeting we will discuss the 2021 triennial code cycle and the building standards being contemplated by the state agencies. One topic on the agenda will be to address a petition that BSC received to consider full adoption of the International Existing Building Code and include the work area compliance methods, found in chapters 6 through 12. Those are currently not adopted by the Commission and they are not printed in the 2019 edition of the California Existing Building Code.

We will post our triennial cycle timeline here in the next month or so, we are still working on completing that.

Well, that is all I have. Again, big thanks to Gary, big thanks to the CBSC team and you all for reviewing all the rulemakings and completing this process. Thank you.

Questions or Comments from the Commissioners:

Commissioner Mikiten stated: The captions work well, and I hope that they work for people viewing through YouTube as well to be able to dial up to the specific website here and resize that on screen. Just a suggestion that in the next agenda, if you will be using this method again, that it be stated with another sentence that it will take you to another website.

Questions or Comments from the Public:

No questions or comments from the public.

Agenda Item 10. Future Agenda Items

Questions or Comments from the Commissioners:

Commissioner Sasaki asked: When will you be discussing potentially adopting those other chapters in the International Existing Building Code?

Mia Marvelli replied: We will talk about it at coordinating council, which I think that meeting is going to be scheduled for late September. We may need to use the Code Adoption Committee, which is the subcommittee of the Commission. I would like to bring that up at the October Commission meeting as well because I know that includes structural provisions so we may want to consider if there are other members of the Commission who want to be on that subcommittee that could assist with that review of the of the 2021 IEBC.

Commissioner Sasaki stated: Thank you.

Questions or Comments from the Public:

No questions or comments from the public.

Agenda Item 11. Adjourn

Motion: Chair Lee entertained a motion to adjourn. Commissioner Klausbruckner moved approval of the request as presented. Commissioner Mikiten seconded. Motion carried 7 yes, 0 no, and 0 abstain, per simultaneous voice vote:

The following Commissioners voted "Yes": Alegre, Klausbruckner, Mikiten, Patel, Santillan, Sasaki and Stockwell.

Chair Lee adjourned the meeting.