

SAN DIEGO AREA CHAPTER ICC

Meeting Minutes for May 20, 2003

1. Call to Order

President Dan Fagan called the meeting to order at 9:35 AM.

2. Roll Call

<u>Representing</u>	<u>Jurisdiction</u>	<u>Present</u>	<u>Absent</u>
Ken Larsen	Canyon Lake	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pat Kelley	Carlsbad	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Brad Remp	Chula Vista	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gary Fausett	Coronado	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Clay Westling	County of San Diego	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clay Westling	Del Mar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dan Pavao	El Cajon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dean Davidson	El Centro	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Richard Esgate	Encinitas	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dan Fagan	Escondido	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Ghiloni	Imperial Beach	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jessie Wu	La Mesa	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Beauchamp	Lemon Grove	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kathleen Trees	National City	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greg Anderson	Oceanside	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Richard Esgate	Poway	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ali Fattah	San Diego	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carl Blaisdell	San Marcos	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Richard Esgate	Santee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Richard Esgate	Solana Beach	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Kratz	Vista	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Chapter Officers in Attendance

President	Dan Fagan	City of Escondido
Vice-President	Mark Beauchamp	Lemon Grove
Secretary	Ali Fattah	City of San Diego
Treasurer	Lou El-Khazen	City of Chula Vista

Associate Members and Guests

Mehdi Shadyab	City of San Diego
Gina Adams	RCP Block and Brick
Joe Russo	City of Escondido
Jack Gibbard	San Diego Community College
Aaron Goodman	Willdan
Tom Nikzad	City of Chula Vista
Tim Owens	City of San Diego
Susan Murdock	California Contractors Association
Philip Treas	California State contractors Licensing Board
Rusty Anderson	County of San diego

3. Approval of Minutes

The minutes of the March meeting were approved as submitted.

4. **Treasurer's Report:** Checking account balance is \$ 5,542.20 and the savings account balance is \$6,303.72. We collected a net after expenses of \$586 for the ATC20 seminar, and got a check from CALBO \$183 for accessibility seminar and netted \$17 after expenses.
5. **Communications**
 - a. Chapter President's Report.
 - Dan Fagan informed the Chapter that he will not be attending the July meeting and that he may be retiring this year due to incentives provided by the city of Escondido as it grapples with its budget.
 - b. ICC Report: An e-mail was received from Fred Herman via Rick Becker of ICC informing the chapter that Fred Herman our ICC Board Liaison will be sending out a monthly e-mail to all 32 chapters that he is a liaison for. Fred can not attend all 32 meetings.
 - c. Legislative Report: The bills reported on over the past few months are still going through the committee process at the Sate legislative level and the following is an update to some of them:
 - SB 289 solar energy requirements in new construction. The bill has been amended and is being refined. Expected to be in effect on or after Janaury 1, 2006.
 - SB 567 revises the maximum penalty and includes code enforcement officers. The fine for a battery is changed from the current level per offence of \$100, \$200 and \$1,000 to \$200, \$500 and \$1,000.
 - SB 919 sets a penalty of \$2,000 or one year incarceration in jail, or both, for the battery of a code enforcement officer.
 - SB 1025 deals with discrimination and fair housing and requires some disabled access to a kitchen, toilet room, bathroom in townhouse dwellings that are currently exempt from access under the 2001 CBC.
 - SB 937 allows the Department of Health Services to waive building regulations to encourage the establishment of clinics in underserved areas. The bill would provide that a clinic's submission of a signed statement from a licensed architect, local building department, or general contractor certifying the clinic's compliance with applicable building standards shall be deemed satisfactory evidence to the department for purposes of licensure. This bill would also require, rather than authorize, the director to waive building requirements for primary care clinics when specified conditions are satisfied. The bill would require primary care clinics to conform to minimum construction standards of adequacy and safety for the physical plant, under the exclusive jurisdiction of the local building department.
 - d. CALBO Report:
 - Brad Remp and CALBO President Daryl met with Matt Franklin the new Director of the Department of Housing and Community Development. Mr. Franklin worked at HUD under the Clinton administration. They discussed the Code Development process, Mobile Home parks, and other issues of common concern.
 - The State Agencies have announced their positions on the Codes with OSHPD, DSA and HCD endorsing the IBC, IRC and the State Fire Marshal endorsing the NFPA Code package. At the end of the meeting Commissioner Sid Cavanaugh asked HCD if they had considered using the NFPA 5000 with the structural portions of the IRC? They indicated that they had and he then asked that they put together a document that by the 7/2 meeting that would show all the steps that would be needed to accomplish this. Cavanaugh basically said that this is what Pasadena Texas did so why can't we do it in California.
 - James Lee Witt was appointed the new president of the ICC. Mr. Witt was the prior director of FEMA, and will be meeting with Governor Davis later this month.
 - The League of Cities Public Safety Committee will meet met in Ontario June 26, to hear presentations by ICC, NFPA, California Fire Chiefs Association, City Managers Association and CALBO related to California's code adoption. This meeting follows the League's Housing, Community & Economic Development Committee and the League's Fire Chief and City Managers Divisions, which have all voted to support the International Codes.
 - CALBO will be sending a letter to the Governot and is encouraging local jurisdictions and chapter to write and voice their concerns to the Building Standards Commission and the Governor .

Jurisdictions are also encouraged to pass resolutions by their elected officials supporting adoption of the I codes. Samples are available if needed to facilitate action.

- The City of Chula Vista has passed a resolution endorsing the I codes. The City of El Cajon is working on one.
- The CBSC will be meeting on July 16, 2003 and Building Officials and Fire Marshals are encouraged to attend the meeting and speak in support of the recommendation supporting the I codes. The SD Area Chapter needs to also voice their support by having a presence at the meeting and local building officials are encouraged to attend with their Fire Marshal. The chapter should facilitate by paying for the cost of travel for members needing the assistance to participate. HCD has indicated that they will speak at the meeting on the 16th. OSHPD has published a 22 page report analyzing the IBC and NFPA 5000 and have concluded that it would take 1 year to amend the IBC and 2 years to amend the NFPA 5000. HCD relied on DSA Structural Engineering staff to evaluate the wood sections of NFPA 5000 (conventional construction not available, wood provisions not enforceable). The chapter discussed and agreed to the following actions:
 - ◆ To subsidize the cost of travel by members interested in attending and speaking.
 - ◆ For the chapter president to write a letter on behalf of the San Diego Area Chapter of ICC supporting adoption of the I codes.

Isam Hasenin asked if the City of LA or San Francisco have taken a position. Brad also reminded the Chapter that the jurisdiction is a member of the ICC and not the Building Official and that most cities designate the Building Official to be responsible for adopting, maintaining and enforcing the building codes.

- The budget crisis is impacting the State agencies with layoffs expected at HCD in the building standards group. CALBO will write a letter to HCD to find ways not to lay off key personnel.
- Brad Remp also raised issues with what local Building Official can do with codes they are required to enforce at the local level from the standpoint of local amendments. There will be large gaps between the current codes and the codes to be in effect two years from now. If we are to achieve parity on protections offered under the current code package drastic local amendments will be required for commercial occupancy regulations other than those impacting disabled access or occupancies under state agency jurisdiction. This issue will dramatically impact local resources.
- The CALBO Board will be meeting in Sacramento on June 27 and will discuss updating the access guide for residential construction. CALBO will need help in reviewing and editing the document and Brad requested that interested parties contact him.

6. **Old Business:** AB 939 recycling of construction and demolition materials. (for more information see www.sandag.org under Integrated Waste Management Citizen's Advisory Committee)

- Clay Westling shared with the chapter the findings of the ad hoc committee formed the last chapter meeting. The committee will include Clay Westling, Rusty Price of Oceanside, Dan Pavao of El Cajon, Tom Nikzad of Chula-Vista and Joe Russo of Escondido. Items investigated were: identify concerns and rank them as to major impact on time, cost. Investigate a bonding procedure.
- The TAC group of SANDAAG created a draft ordinance for all cities in the region to adopt and enforce. The state will levy substantial fines on cities that do not comply. The responsibility is being pushed on to the Building Official to play a part in enforcement, however what the BO role will be different in each jurisdiction. A three page form was created that is complex and puts an emphasis on the weight of materials to be recycled and requires bonding to ensure compliance with a heavy emphasis on a plan more than on clarifying what is to be recycled.
- The Chapter should create a simpler prescriptive form and have the recycler sign the form.
- The chapter should invite a representative from the TAC committee to meet with the ad-hoc committee to discuss the various issues. Clay handed out a sample draft outline of what the proposed form could look like.

7. **Good of the Order/Uniform Code Interpretations:**

- Mark Beauchamp asked if jurisdictions value photovoltaic systems and then charge fees from a fee schedule or if they have a permit fee for each system type. Chula Vista has a \$35 to \$36 flat fee, Oceanside charges a fee for a \$1,400 valuation plus an electrical permit fee so approx \$600

fee.

- Dan Pavao asked if radiant barrier are being used in other cities. He was lead to believe that they are being ingnored. The chapter responded that they are required where applicable per the regulations.
- Isam reported on the status of the City fee adoption which was approved and will be in effect in August. He also discribed a new program for small businesses. Escondido and Chula Visa also have a similar small business outreach and assistance program.
- Brad remp was requested to attend a deposition as an ADA case by attorneys seeking the City's ADA expert.
- Clay Westling responded to an Attorney General investigation of the City of Del Mar on enforcement of Title 24 for existing buildings. Attorney general opinion 93-203 is published on the AG web site clarifying that local building officials are not required to enforce ADA.
- Clay also shared with the chapter that the County Board of Supervisors will be hearing a proposal for fee revisions.

8. **Question of the Month.** None

9. **New Business:** None

10 **Committee Reports**

a. Education and Training: No report.

b. Executive:

- The scholarship program will be reestablished.
- The education committee needs help please contact Aaron Goodman and offer your assistance to maintain the effectiveness of the current program that is being handled exclusively by Aaron.

c. Codes:

Lou El-Khazen said that the committee did not meet.

- The retaining wall standards 221, 222 are being updated by the City.
- Lou attended the Regional Standards committee on May 22nd in the county of San Diego Director's Conference Room. They established a sub-committee to review their standard retaining walls.

d. Electrical:

- Electrical non-metallic tubing allowed out doors in wet locations lost the UL listing due to problems. As of July 1 the City of San Diego will not allow emt compression fittings outside or in wet locations.
- CBS studios tour made clear that Article 525 is in the body of the 2001 CEC and regulates temporary power permits for fairs, circuses etc.. and jurisdictions should require permits to enforce the requirements.
- The County approved the first Commercial photovoltaic system. There is no consensus on attachment for seismic or wind requirements (ballasted system versus anchored). There is an ICBO ES report for an anchored system.

e. Plumbing/Mechanical:

- Health Department is not in charge of grease trap only the sanitation district requires them.
- Tankless water heaters condensating vs non-condensating type (condensate line to outside or trapped fixture).
- Isalnd vented systems for CSST.

f. Technology: Profile by county of San Diego or City of Chula Vista to be posted soon.

- The Web Site was discussed by Lou el Khazen and the need to look for more content. Some topics explored were jurisdiction profiles every month that encourage posting of the selected jurisdiction's profile making the information less stale.
- Lou needs input on what items to include on the web site.

- g. Valuation: Ali Fattah discussed the memo circulated with the minutes and efforts under way to update the valuation tables. Tom Nikzad and Trish from the city of Poway have volunteered to work on it. Ali will forward the updated spread sheet in the coming weeks when completed by City of San Diego staff.

9. **Program**: There was no program.

12. **Adjournment**

President Fagan adjourned the meeting at 12:10 p.m.

MINUTES RESPECTFULLY SUBMITTED BY:

Ali M. Fattah
Chapter Secretary