



**STATE HISTORICAL BUILDING SAFETY BOARD MEETING SUMMARY**  
**4/3/2024, 400 R St., Suite 312, Sacramento CA 95811**

**1) Call to Order / Roll Call / Pledge of Allegiance – Meeting started at 10:08am**

- 11 in-person board attendees, 4 Virtually; quorum was met. \*
  - In-person: Ida Clair, Amalia Neidhardt, Crystal Sujeski, Mia Marvelli, Ken Ng, Mike Malinowski, Joe Hall, Irina Brauzman, Eric Nelson, Loring Wyllie, Don Moeller, *Robert Zimmerman, Eric Driever*
  - Virtually: Mitchel Baker, Jill Hupp\*, Roy Harthorn, Glenn Good
    - \*Jill Hupp attended virtually due to injury, but quorum was still met as motion to allow Jill Hupp to participate virtually, but still count towards quorum; started by Mia Marvelli and was seconded by Joe Hall and passed unanimously, was used to add Jill Hupp under GC11123.2(j)(3) of Bagley-Keene. **VOTE: 15 Aye, 0 Nay, – Motion Passed**
    - *Roy Harthorn joined virtually but attended late and had to leave due to technical issues, so TOTAL VOTES in the latter half of the meeting change amounts.*

**2) Comments from the public on issues not on this agenda:** *SHBSB may receive comments from the public on matters not on the agenda. Matters raised may be briefly discussed by SHBSB and/or placed on a subsequent agenda. No action may be taken by SHBSB on items raised during this agenda item.*

The following is a summary of comments provided and board discussion. A transcript is available by contacting SHBSB@dgs.ca.gov

- Neville Pereira, Deputy Director of Permit Services; from the San Francisco Department of Building Inspection, attended the meeting in-person and commented:
  - Where a qualified historical building is proposing a change in occupancy classification, usually with a full interior gut-out remodel, what are the limits of the CHBC in relation to using the CEBC and CBC? A change in occupancy classification would generally "trigger" compliance with the regular code. Is the intent to apply the building standards of the CHBC liberally to the entire building or should the CHBC only be applied to maintain historical



elements/character defining features with the intent to preserve/rehabilitate? In addition, the egress section of the CHBC talks about permitting the use of existing fire escapes and provides requirements for new fire escapes. We would like to request a discussion on height limitations and occupant load. Are new fire escapes allowed for buildings more than 4-stories in height.

- Board member Mike Malinowski commented:  
Adaptive reuse of existing buildings is a critically important part of California's climate action. The amount of carbon deficits created by the construction process itself does not allow for recouping those carbon amounts with high performing new construction. Major cities all over California are trying to adapt and reuse their underutilized and abandoned downtown buildings for housing. Concerned about bottlenecks and issues, Mr. Malinowski requested a workshop with the SHBSB to find those issues and rectify them. The point system in Chapter 13 of the international Existing building code (IEBC) is an example of a framework that assigns negative points to lifesaving deficiencies to be balanced with positive points for improvements.
- Board member Crystal Sujeski, Cal Fire, followed up with comments based on what Mike stated. She believes the fire escape for egress, if it is in good working order, may be acceptable but it would need to meet the code and not create additional hazard for the occupants. But, if you are creating a more robust escape system, you will need to tie into the first responders and their needs.
- Executive Director Eric Driever stated that if the façade is the only historic factor, they may not be able to apply the Historic Building code and apply the regular building codes to those other elements, not part of the fabric. Also mentioned creating an agenda item for a future meeting to discuss this item in more detail.
- Neville Pereira adds, if the fire escape isn't historic, then the code isn't applied to allow it to remain part of the building, which one may not be able to save the façade part of the building. In this case the fire escape is historic. He added that a City of San Francisco guidance manual is weeks away and they have a very clear first draft.
- Board member Joe Hall contributed stating that the SHBSB needs to update the code and should.



- Board member Ida Clair stated that it is up to the building official and make an appeal to the board to provide guidance.
- Board member Loring Wyllie mentioned a peer review panel for the building.

### 3) Consent Items

- **Approval of Draft Meeting Minutes from January 17 2024 Board Meeting – A motion to approve January 17, 2024 meeting minutes, when amended *started by Joe Hall and seconded by Eric Nelson* - VOTE: Aye – 16, Nay – 0, Abstain – 0):**
  - **Item 7 (Responsibility and authority of the SHBSB) was updated --> the SHBSB is an adopting agency that's responsible for proposing and adopting regulations in Part 8, not only for recommendations to Part 8 as originally written on the meeting minutes**
  - **Item 8 (Submittals) Submittals are to be sent to the CBSC not to the ICC as it was originally written on the meeting minutes**
    - **There is no formal due date, the CBSC just needs the rulemaking files 45 days before the start of the 45-day public comment period, the meeting minutes previously stated May 3<sup>rd</sup>.**

### 4) Appeals

- None

### 5) Action Items

- **Confirmation/Election of Officers**
  - **Executive Director, Eric Driever, stated that Alan Dreyfuss, the previous chair of the SHBSB, has volunteered to be chair and will be on the committees that the board will be passing.**
  - **Confirmation of officers occurred; *motioned by Ida Clair and seconded Glenn Good which passed unanimously* for Alan Dreyfus to be Chairperson and unanimous vote for Don Moeller to be Vice-Chairperson **VOTE: Aye – 16, Nay – 0, Abstain – 0****
- **Creation of & appointments to standing committees:**
  - **Prior to acting on creating committees, the board discussed the option of having 2 committees (Codes Development and Appeals / Bylaws) versus 3 (Code Development / Appeals / Bylaws).**



- After the discussion, it was agreed upon the board to combine Codes Development and Appeals into one committee and Bylaws committee in another. Doing so would produce more efficient and effective action.
- 2 committees were created; *motioned by Glenn Good and seconded by Ida Clair:*
  - *Motion by Joe Hall; seconded by Eric Nelson* Code Development & Appeals Committee (Ida Clair, Don Moeller, Crystal Sujeski, Mitchel Baker, Glenn Good, Alan Dreyfus, Roy Harthorne, Mike Malinowski); **VOTE: 13 Aye, 1 Abstained (not present virtually for vote) – Motion Passed**
  - *Motion created by Joe Hall, seconded by Amalia Neidhardt;* Bylaws Committee (Alan Dreyfus, Joe Hall) **Vote: 13 Aye, 1 Abstained (1 board member not present virtually for vote) – Motion Passed**
- Regularity / Schedule of SHBSB meetings
  - *Motion created by Amalia Neidhardt; seconded by Eric Nelson:* Meetings were approved 3 times a year, the 2<sup>nd</sup> Wednesday of February, May, and September; **VOTE: 12 Aye, 2 Abstained (1 board member not present virtually to vote) – Motion Passed**
  - A special meeting will be held June 12, 2024 to include the SHBSB Code packet to make sure all is good with the documentation and add or edit anything needed.\*\*

## 6) Information and Discussion Items

- **2022 California Existing Building Code July 2024 Supplement Part 10, Title 24 California Code of Regulations**
  - A discussion of how the code was distributed to the board members via PDF or hardcopy.
  - DSA is working to get more licenses of MADCAD for SHBSB members to use to gain access to other Parts of the code.
- **2024 triennial rulemaking proposals for California Historical Building Code, Part 8, Title 24 California Code of Regulations**
  - Discussed any proposals → None
  - Board member Irina Brauzman brought up that that package needs to be ready for mid-July for Historic Building Code. There will need to be a 45-day cycle in September to October, and Building



Standards Commission (BSC) will need the package 45 days prior, which is roughly mid-July. Due to the timeline of this meeting and the need to create the package for the BSC, Board member Ida Clair mentioned having a meeting to be held in June 2024 instead of May or July.

\*\*Instead of meeting in May, board will meet in June (see above item "Regularity / Schedule of SHBSB meetings)

○ **Board Administration**

- Discussed Form 700 and necessary trainings (Ethics and Sexual Harassment Prevention)
  - Getting confirmation on how non-DGS/State employees will submit a Form 700
  - Ethics and Sexual Harassment Prevention Trainings have been sent to all board members as of 4/9/24

○ **Future Agenda Items**

- Board member Mike Malinowski a potential workshop that would bring design professional, architects and others to talk about their experiences with the historic building code. Codes and Appeals committee could attend as well to discuss.
- Code meeting in June will be the primary purpose of the meeting to get the package ready for Building Standards Commission.

7) **Closed Session**

- None

8) **Adjournment**

- Meeting adjourned at 12:55p.m.