



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONSTRUCTION CODES COORDINATING BOARD**

**REGULAR
Meeting Agenda
Thursday, January 19, 2012
10:00am – 12:00pm**

- 1. Call to Order**
- 2. Review of Meeting Agenda**
- 3. Review and Approval Meeting Minutes**
 - a. Thursday, November 17, 2011 (Regular)*
 - b. Thursday, December 15, 2011 (Regular)*
 - c. Friday, December 16, 2011 (Special)*
- 4. Status Update on OAG Review of Construction Codes**
- 5. Green Proposals**
 - a. Chapter 1- G24 (J. Stern)*
 - b. G6-A, G7-A, G8-A (R. Sabbakhan)*
- 6. Old Business**
 - a. Update on Permanent Chair*
 - b. Update on New Board Members*
 - c. Update on 3 previously-approved Mechanical Amendments for 12 DCMR 2008*
 - d. Update on Green Area Ratio Presentation (Does CCCB still desire presentation?)*
 - e. Update on Signage Working Group*
 - f. Update on Robert Hershey membership in Green TAG*
 - g. TAG Member List for Web Posting*
- 7. New Business**
 - a. Recruitment of new TAG members*
 - b. Consideration of terms for TAG members*
 - c. Consideration of formally acknowledging end of TAG member's service*
 - d. New proposed legislation to amend Green Building Act*
 - e. DCRA Chapter Update*
- 8. Comments by Members of the Public**
- 9. Adjournment**

Next Meeting is scheduled for Thursday, February 16, 2012 – 10:00am – 12:00pm



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REGULAR MEETING

Minutes of Thursday, January 19, 2012
10:00am – 12:00pm
1100 4th Street, S.W.
DCRA – 5th Floor Director's Conference Room

Members Present	Members of the Public/Other
Paul Waters (Acting Chair)	LaShawn Dickey (DCRA)
Rabbiah Sabbakhan	Jatinder Khokhar (DCRA)
Marc Fetterman	Helder Gil (DCRA)
Curtis Clay	Gary Englebert (DCRA)
Jill Stern	
Ethan Landis (Conference Call)	Eric Mayl
Herbert Taylor	
Robert Hershey	
Members Not Present	
Alex Berley	

Call to Order

Paul Waters called the meeting to order at 10:14 am and followed with a roll call of members present.

Review & Approval of Meeting Agenda with Amendment

The meeting agenda was approved with the following amendments (1) Agenda 6.d was removed per Curtis Clay and (2) ICC DC Chapter Update was added under Agenda 7.e.

Review & Approval of Meeting Minutes

The meeting minutes for Thursday, November 17, 2011 (Regular) were approved unanimously by the Board as revised with a motion made by Herbert Taylor and seconded by Jill Stern.

It was unanimously agreed that the meeting minutes for Thursday, December 15, 2011 (Regular) & Friday, December 16, 2011 (Special) would be considered at the next CCCB Regular meeting (02.16.12).

Status Update on OAG Review of Construction Codes

1. Helder Gil said that a final draft of 12 DCMR needs to be submitted to the Office of the Attorney General (OAG) for final review and comments. Chapter 1 and the recently approved Green Provisions have not been submitted.
2. Paul Waters noted that this submission would not include Green Provisions not yet approved by the Board, including G7-A (Residential TAG) and G8-A (Building TAG), Ethan Landis asked Rabbiah Sabbakhan if he had met with DCRA staff about these provisions and how they would be administered. In addition he asked if the Green TAG could help facilitate consideration of these provisions by DCRA. Rabbiah Sabbakhan responded that DCRA senior staff had met and additional work on these proposals was necessary. Marc Fetterman and Paul Waters asked Rabbiah Sabbakhan if he had a schedule for submitting feedback to the appropriate TAGs. Rabbiah Sabbakhan stated that he would provide DCRA's feedback to the TAGs within a week.



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3. Jill Stern stated that if the Board signed off on the revisions to Chapter 1 (G24) at the Board meeting, Chapter 1 would be ready to be resubmitted to the Office of the Attorney General for review. She suggested that Chapter 1 and the approved Green Provisions be submitted to the Office of the Attorney General now while the other Green Provisions are under review. The other Green Provisions could be added to the document at a later date. She clarified that OAG had previously reviewed Chapter 1, and that the latest revisions incorporated responses to issues raised by OAG on initial review, in addition to administrative changes necessary to incorporate the 2012 Energy Conservation Code.
4. Helder Gil advised the Board to set a final date for adding code changes in this code-review cycle and then submit the document to the Office of the Attorney General. (Board had a roundtable discussion) Paul Waters reiterated this recommendation by saying that the Board needs to determine whether they want go forward with the publication of the 2009 codes as a "Proposed Rule" and, if that is the case, they need to establish a final date. He suggested that by Tuesday, February 7, 2012 he could send a final draft of 12 DCMR to OAG.

Discussion ensued about schedule. If the 2009 code amendments were published by February 29, 2012 as a "Proposed Rule" and one had 45 days for a review period, the Board would be looking at the middle of April 2012 for the end of the review period. Based on this schedule, the Board could complete its responses to the public comment possibly by the end of May 2012; and submit the document to the Council for Proposed Rule making. Paul Waters reminded the Board that the Executive Office of the Mayor would need to sign off at more than one point in this process.

5. Due to the few remaining edits to be made to the draft 12 DCMR, Paul Waters agreed to submit a final version to the Office of the Attorney General by Friday, January 27, 2012.

Public Comment

Eric Mayl asked if the Board was to go straight into review of the 2012 codes, would that eliminate one public comment review of the 2009 codes.

Paul Waters responded. No. The Board continued to discuss the relative benefits of moving directly to the 2012 Code, and Rabbiah Sabbakhan expressed the view that it made sense to go directly to 2012 since it would be problematic to train employees for two different code versions, and could create public confusion. The consensus of the Board was that, even if the decision were made to move directly to 2012, that there could be a benefit to publishing the DC Supplement based on the 2009 ICC Code in order to solicit comment, since the 2012 changes could be added in the comment cycle.

G24 – 12 DCMR A Chapter 1 Section 101.4.7: incorporate portions of the 2012 IECC Chapter 1's in 12 DCMR A Chapter 1. – Jill Stern (Copies provided to Board Members)

When the Board adopted the 2012 IECC on December 16, 2011 (G21-B & G24), the IP TAG had not reviewed the Administrative language in G24. Jill Stern said that in a telephone conference call on January 16, 2012 the IP TAG voting members on the call reached a consensus on appropriate language to conform Chapter 1. Jill Stern reviewed the G24 revisions approved by the IP TAG with the Board and Rabbiah Sabbakhan concurred with the revisions.

Motion

A motion was made by Jill Stern to adopt the revisions to G24 as submitted by the IP TAG, which was seconded by Rabbiah Sabbakhan. The Board voted 5 – 1 (with Robert Hershey in opposition). The provision was adopted.



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Other Green Provisions: G6-A, G7-A, G8-A & G12-A

Ethan Landis said that he had met with DDOE representatives about provisions G6-A and G12-A. DDOE is composing a draft document that responds to some of the CCCB concerns and Ethan Landis will circulate it to the Board for review. Paul Waters asked if the draft document was something that could be incorporated into what the Board envisions sending to OAG by January 27, 2012. A consensus emerged that there would not be enough time for the Board to review and vote on the draft document. Responding to a question, Ethan Landis stated that he had not had a chance to meet with DC Water regarding the storm water provisions.

Robert Hershey stated that he is not in agreement with the February 7, 2012 or the January 27, 2012 deadlines and remains opposed to Green provisions G6-A, G7-A, G 8-A and G12-A.

Old Business

a. Update on a Permanent Chair

Paul Waters announced that the DCRA Deputy Director for Operations is in the process of preparing a proposed solicitation for a Chair of the CCCB. Paul Waters will distribute copies to Board members once the position description has been finalized for review and comments.

b. Update on New Board Members

Paul Waters reminded the Board that all new Board members must be nominated by the Office of Boards and Commissions and then sworn in. DCRA has been in regular contact with the Office of Boards and Commission about these matters. Marc Fetterman asked if there had been any nominees for the vacant Fire Department or Commercial Buildings slots. Helder Gill said that no nominees had been received for either vacancy.

c. Update on 3 previously approved Mechanical Amendments to 12 DCMR 2008

The Board previously approved a number of amendments to 12 DCMR 2008, including: (1) Mech 02-08 (permit required for minor mechanical work); (2) Mech 05-08 (gender-neutral signage in single occupancy public toilet rooms); and (3) Mech 06-08 (update AWAA standards date). These three code changes had never been reviewed by OAG or published in the DC Register. Paul Waters will review the amendments with Helder Gil and provide the Board with an update at the next meeting.

d. Update on conforming 12 DCMR to new ADA requirements

Removed from Agenda

e. Update on Green Area Ratio Presentation

The CCCB agreed to not have a presentation.

f. Update on Signage Working Group

Rabbiah Sabbakhan and Helder Gil are participating in the Signage Working Group which has been meeting weekly. Under the Mayor's Order that established this Working Group, the CCCB no longer has authority over signage. The Working Group will try to produce a document by April 2012. The Group is currently working on signage in public space; at the last meeting Helder Gil made a presentation on billboard proposed regs. The goal is to have all signage regs in one place within one DCMR.



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g. Update on Robert Hershey Membership in Green TAG

Marc Fetterman reviewed past meeting minutes and found that Robert Hershey was voted onto the Green TAG as a voting member on 3.18.10. His status will be updated on the TAG member listing.

h. TAG Member List for Web Posting

The list of TAG members is out of date. Board members agreed to provide LaShawn Dickey with a current list of members for review by the CCCB. The document will then be posted on the web site.
New Business: Agenda items 7. a, b and c (below) will be discussed at the next CCCB meeting. (02.16.12)

a. Recruitment of new TAG members

b. Consideration of terms for TAG members

c. Consideration of formally acknowledging end of TAG member's service

d. Update on Proposed Legislation to Amend the Green Building Act

An amendment to the Green Building Act, DC Law 6-216 §6-1412, Section 3, Subsection 10c(a) has been proposed by Councilmember Cheh's office and is in the process of being finalized. (The Board has a roundtable discussion regarding this matter.)

Motion

Robert Hershey made a motion to have the following wording "Codes and standards published by the International Code Council (ICC) or the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) are presumed to be practicable. No further evidence or cost information shall be required prior to their adoption", eliminated from the proposed amendment to The Green Building Act.

The motion did not receive a second and the motion failed.

e. ICC DC Chapter Update

Gary Englebert provided the Board with an update on the ICC DC Chapter. There currently about 65 members in the Chapter, the first meeting was held on January 19, 2012, and membership is expected to exceed 150 within the next couple of months.

Building Safety month will be May 2012, and the ICC is pushing all states and the District of Columbia to adopt Building Safety month. In the past years DCRA has had display booths in Home Depot, local hardware stores and within the lobby of DCRA to answer questions from consumers. The Mayor will be asked to sign a Proclamation proclaiming "Building Safety" month and the local Chapter is preparing a Proclamation for the Mayor to sign.

f. IP TAG Voting Membership

Motion

Jill Stern made a motion to substitute Rabbiah Sabbakhan for Don Masoero on the IP TAG. Robert Hershey seconded the motion and the motion was approved. (Motion passed)

Adjournment



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The CCCB meeting adjourned at 12:14pm, following a motion by Robert Hershey and seconded by Herbert Taylor.