



MINUTES

City of Sacramento

Building and Fire Code Advisory and Appeals Board

BOARD MEMBERS:

Rich Abbott, Chair

Joe Cimorelli

John Leonard

Bob Stetson, Vice-Chair

Art Ross

CITY STAFF:

Robert L. Chase, Chief Building Official
Carl Hefner, Deputy Chief Building Official
Paul Gale, Deputy City Attorney

New City Hall
915 I Street, 3rd Floor
Sacramento, CA 95814

SPECIAL MEETING
January 3, 2008 – 4:00 P.M

The Building and Fire Code Advisory and Appeals Board was created by the City Council. Its powers and duties include determining the suitability of alternate materials and methods of construction and providing reasonable interpretations of the following codes, as they are currently written or as they may be amended in the future: A. 2001 California Building Code; B. 2001 California Fire Code. The board's powers and duties shall extend to any code or codes duly adopted by the California Building Standards Commission that supersedes the 2001 California Building and Fire Codes. (Ord. 2006-041 § 3 (part))

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken as noted on the agenda.

Notice to Lobbyists: When addressing the Commission you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160). **Speaker slips are located in the lobby of the hearing room and should be completed and submitted to the Commission Secretary.**

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order of agenda items is for reference only; agenda items may be taken in any order deemed appropriate by the government bodies. The agenda provides a general description and staff recommendations; however, the governing body(ies) may take action other than what is recommended. The agenda is available for public review the Friday prior to the meeting. Hard copies of the agenda, minutes, and staff reports are available from the Development Services Department at 915 I Street, New City Hall, 3rd Floor (25 cents per page). Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Development Services Department at (916) 808-8310 at least 48 hours prior to the meeting.

AGENDA SPECIAL MEETING

January 3, 2008

*New City Hall
915 I Street, 3rd Floor
Sacramento, CA 95814*

All items listed are heard and acted upon by the Board unless otherwise noted.

Call to Order – 4:15 p.m.

Roll Call – All present.

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request that an item be removed for separate consideration.

1. **Approval of Minutes for November 1, 2007**

Location: (Citywide)

Recommendation: Approve Board Minutes from November 1, 2007

Contact: Bob Chase, Chief Building Official, (916) 808-8024

Action: No public comment. Moved and seconded (Ross, Leonard, 5-0-0) to approve the minutes as submitted.

Public Hearings

Public hearings may be reordered by the Chair at the discretion of the Board. If you challenge the decision of this Board you may be limited to raising only those issues that are raised in this hearing or in written correspondence received by the Board prior to the hearing.

None

Staff Reports

Staff reports include oral presentations including those recommending receive and file.

2. **Nomination of Officers**

Location: Citywide

Recommendation: **Approve** – Nomination and selection of Chair and Vice Chair.

Contact: Bob Chase, Chief Building Official, 916 808-8024

Action: No public comment. Moved and seconded (Ross, Leonard, 5-0-0) to select Rich Abbott as Chair and Bob Stetson as Vice-Chair.

3. **Meeting Calendar 2008**

Location: Citywide

Recommendation: Adopt – Board Meeting Calendar for 2008

Contact: Bob Chase, Chief Building Official, 916 808-8024

Action: No public comment. Moved and seconded (Stetson, Leonard, 5-0-0) to adopt the 3rd Thursday of each month at 4:30 p.m. as the Board's regular meeting date and time. Meeting location will be determined at a later date.

Public Comments- Matters Not on the Agenda

4. **No public comment.**

Questions, Ideas and Announcements of Board Members

5. Board Member Leonard requested a report-back on the status of the adoption of the Fire Code amendments ordinance. Staff indicated that a report-back will be scheduled for the next meeting of the Board.
6. Board Member Stetson asked if development projects are immediately subject to the 2007 California Building Code. Bob Chase, Chief Building Official, responded that, with the exception of subdivision projects meeting certain criteria, all projects will be subject to review under the 2007 CBC.
7. Board Members advised Bob Chase that they would not require copies of the updated codes. In the event of an appeal, staff will provide Board Members with code sections relevant to the appeal.
8. Board Member Stetson asked if appeals to Chief Building Official decisions must go to the staff-level Administrative Appeals Board before being heard by the Building & Fire Board. Bob Chase replied that appeals can go straight to the Building & Fire Board if the applicant desires.
9. Board Member Stetson asked if staff will provide a report in advance of appeal hearings. Senior Deputy City Attorney, Paul Gale, responded that at the next meeting the Board will adopt Hearing Procedures, which will direct staff as to the administrative process and timeline for appeals.
10. Board Member Leonard stressed the importance of Board Members receiving background information from staff in advance of an appeal hearing.
11. Board Member Stetson stated that ideally the Board would rule on appeals at the meeting the appeal was heard. He added that if staff or an appellant were to provide complex information at the hearing, it may be best to continue making a decision to the next meeting. Bob Chase responded that appellants will be required to complete a form stating the issue and their rationale for appeal. He added that staff will prepare a report stating the Building division's position.

12. Board Member Ross asked if staff or the Board would approve the hearing procedures. Paul Gale replied that the Building Code requires each specialty Appeals Board to adopt hearing procedures specific to each Board. Board Member Ross added that streamlining procedures among the Appeals Boards would be optimal for both appellants and staff.
13. Board Member Stetson added that if one of the three specialty Appeals Boards felt a need to change their procedures the other two Boards could also adopt these changes. He agreed with Board Member Ross that consistency was important.
14. Board Member Abbott asked for confirmation that the Board's procedures would be transparent to appellants. Paul Gale responded that the procedures would be available to the public.
15. Board Member Leonard inquired as to why the City does not dictate Board procedure. Paul Gale stated that he was unsure as to the reason, but the requirement for each Appeals Board to adopt its own rules is contained in the language of the City codes, based on the adopted ordinances which formed the Boards.

Adjournment – 4:32 p.m.