

STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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MECHANICAL, VENTILATION & ENERGY SUMMARY MEETING MINUTES

LOCATION: Department of Enterprise Services

1500 Jefferson Street, Rm. 2320

Olympia, Washington

MEETING DATE: November 7, 2013

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	Meeting called to order at 9:32 a.m. Members in Attendance: Eric Vander Mey, Chair; Dave DeWitte; Duane Jonlin; Jeff Peterson Members Absent: Ray Allshouse Staff In Attendance: Tim Nogler, Managing Director; Krista Braaksma; Joanne McCaughan; Peggy Bryden Visitors Present: Jeanette McKague, Mike Fowler, Roger LeBrun, Mark Novak, Chuck Murray, David Cohan, Bob Eugene
2. Review and Approve Agenda	The agenda was approved with modification to add public comment not on agenda.
3. Outcome Based Code	Tim Nogler summarized this proposal. The proposals are on the table for consideration by the Council. His suggestion is that the Committee make a recommendation to the Council on the proposal. It was submitted in 2012 and then tabled.
Motion	Duane Jonlin made a motion the Committee consider the revised proposal rather than the original. Mike Fowler, the proponent of the proposal, said he will formally withdraw the original proposals and submit the revised version for consideration. Mike gave a summary of the revised proposal stating the language is more clear and direct. However fundamentally it is the same proposal. Overall it establishes the energy budget to design for all buildings, post occupancy. If the project goes over 25% they can do a retrofit or purchase green power from a utility renewable energy program to be "future ready". There is a choice of upgrade, utility green power and solar PV to come into compliance on a net energy basis. Duane Jonlin asked what the building department has to do over time? Mike's answer is this would be included in the energy code. Jurisdictions would get the application as prepared by the design

professional. **Duane** asked how much can be expected in terms of energy use? It should be integrated with utility bills, and the data uploaded to Energy Star portfolio. This will document energy use below 12 months budget. It would be provided back to the local jurisdiction to show they have met their energy budget. This would become integrated into utility billing systems. This should be a tool, not a burden. **Duane** asked if over time the building should be upgrading the energy systems to allow for more energy savings. Mike said the feedback on that was that it was not meant to require additional systems or upgrades. Higher rates depend on how much energy is used. They may need to pay higher rate for the excess energy used beyond the budget amount. **Jeff Peterson** said this seems like a big stick with no carrot. What is the advantage for the building owner? Mike's reply was there would be incentives. It could be a part of a voluntary aspirational code. If slightly over budget, the price of green power is one to five cents per kilowatt.

Jeff Peterson asked if the building is vested under this code regardless of the ownership? Does the responsibility shift to the new owner? Yes, replies Mike. Jeff then asked if manufacturing is exempt. Mike said yes except for the office space. They would have a separate meter from the manufacturing. Jeff and Duane voiced concerns on site constraints. Jeff asked where the values came from. Mike said they were from the 2003 CBEC survey. Duane asks what about an exception for areas where the natural resources prohibit the sunlight. Mike recognizes there are challenges such as orientation. However, even north facing surfaces can generate some solar power.

Public Comment

Chuck Murray asked for clarification on how this would work with the existing code. He also said the utilities provide incentives up to their awarded cost, but they are not allowed to do more. Regulated Utilities go up to 40% and Public Utilities up to 60%. Mike replied it was written as a new section, still maintaining the minimum criteria from the Energy Code, to restrict someone from just paying penalties.

David Cohan asked for clarification on the goal of this proposal. **Mike** said it needs a collaborative effort to move to a committee/review phase. **David Cohan** asked if SBCC has the resources to do what is being asked of them.

Eric Vander Mey asked for Tim's comments on this. He stated that procedurally this was a 2012 proposal. The current proposal is to modify the code. The Council will need to decide to approve, disapprove or refer to a TAG.

Jeannette McKague asked if there was any cost benefit analysis as part of the proposal. She feels that compared to other options, this

needs a lot more study. The proposal could go to either the Green TAG or the Energy TAG for this. Motion **Duane** stated he was influenced by Chuck Murray's comments. The numbers don't seem to be correct. **Duane** made a motion to disapprove the motion based on the fact this would allow buildings to be less stringent than the current code. Jeff Peterson seconded the motion. The motion carried. **Dave DeWitte** asks if another option is available. **Mike** asked what the actual intent of the disapproval was. Jeff stated there were many good ideas and there is no need to lose these. Duane commented this would be disapproved as part of the aspirational code. Tim stated this could still encourage the proponent to submit a revised proposal by the March 1, 2014 deadline. **Tim Nogler** presented a PowerPoint slideshow on the steps towards an 4. Aspirational Code Aspirational Code. He pointed out this had been reviewed at the Scope and Purpose October Council meeting and would be reviewed again at tomorrow's meeting. It is part of the 2014 Workplan. It is similar to the Massachusetts Model and the Oregon Reach Code; however, it is not part of the Energy Code. This Aspirational Code would be for optional use by builders. **Jeff Peterson** asked what the costs would be and the need for an Aspirational Code. Eric Vander Mey said he felt this is an addition to, rather than an alternative to the existing Energy Code. **Tim** said he determined the estimated costs for staff during the Green TAG was approximately 67 hours. He stated, per the Governor's veto message, the Council can use funds to develop optional codes, to provide incentives for builders, provide opportunity throughout the state to weigh in. **Duane** didn't feel it would be used much for single family homes. There are other programs that already exist. It would mainly be used for commercial. **Tim** feels this needs further analysis to determine the definition before moving forward. **Tim's** recommendation is to continue to work at the Committee level as noted on the workplan. The first step being to look at the scope. **Duane** feels it would be helpful working with proposals. Tim said the staff would be able to do some research and we have contacts for expert research, which in the past has been volunteered. **Public Comment Chuck Murray** commented he supported the staff and expert research, but he is concerned about the timeline. **Duane** replied this is not a rulemaking process; it is more like a suggestion than a rule. **David Cohan** reported more about the Oregon Code, stating it was not aligned with utility incentives. It is very important to get the utilities

involved early. NEEA is happy to support this if done the right way. **Duane** asks if this is allowed under our state regulatory structure for

	utilities. Chuck said it was.
	Mike Fowler also supports the staff plus experts idea, but he feels we should lean heavily on the experts input. He also asked that his proposal be put forward to the Aspirational group.
	Jeanette McKague stated the idea is interesting. She is also looking at the Green Code now and looking at merging the two. Her group is also looking at markets. Mike feels that while there is an overlap of the two codes, they should be kept separate. Duane feels the Council needs a lender or an appraiser to be included in the process. Jeanette cautioned that all lenders do not have the same expertise or knowledge; and most money for local projects comes from national sources.
	Tim Nogler suggested scheduling a Committee meeting for December to start to look at details of overall plan and the first steps.
5. Staff Report	Tim Nogler stated the 2014 Workplan would be discussed in more detail at the Council meeting tomorrow.
6. Other Business	There was no other business.
7. Adjourn	The meeting was adjourned at 11:38 a.m.