



**CEESP Goal 1: WHPA Compliance Online Permitting Working Group
Teleconference Summary Notes
Monday, October 16, 2017
Scheduled for 9:00am – 10:00m PDT**

Call to Order

The Online Permitting Working Group (OPWG) Committee Chair Louis Fuentes (Air Conditioning Guys) called the meeting to order at 9:02 am PDT. The meeting audio was recorded.

Roll Call

WHPA Staff (Wendy Worrell) conducted roll call based on the current WHPA Online Permitting Working Group roster. As no voting panel has been assigned in favor of consensus voting, members are organized by voting eligibility status. The meeting was attended by the following 14 participants (or proxies) with a quorum (10+) of eligible members.

P = Present at meeting A = Absent from meeting; if proxy has been assigned it will be noted below.				
Organization	First Name	Last Name	WHPA Category	Attendance
Voting Eligible				
Air Conditioning Guys (Becerril Air/dba A/C Systems)	Louis	Fuentes	Contractor (Residential)	P (OPWG Chair)
Building Media, Inc.	Craig	Savage	Educator, Trainer	P
CALBO (California Building Officials)	Bob	Barks	Codes & Standards Official (Association or Jurisdiction)	P (Compliance Chair)
CalCERTS	Russ	King	Certifying Body	P
CEC (California Energy Commission)	Judy	Roberson	Government (Other than CPUC)	P
Charles F. Segerstrom, Energy Efficiency Consultant	Charles	Segerstrom	Energy Efficiency Program Consultant	P
CHEERS	Bob	Johnson	Certifying Body	P
Enalaysys	Eric	Taylor	Third Party Quality Assurance Providers	P
Enalaysys (standing proxy for Eric Taylor)	Michael	Thompson	Third Party Quality Assurance Provider	P
EnerGtech Experts	Brent	Locke	Energy Efficiency Program Consultant	P
Energy CA LLC, The	Eric	Beriault	Third Party Quality Assurance Providers	P
IHACI (Institute of Heating and Air Conditioning Industries)	Bob	Wiseman	Contractor Association	P
WHPA Staff				
CLEAResult	Paul+	Kyllo	Other Stakeholder	P
InfoPlast	Wendy	Worrell	Other Stakeholder	P

*** Organization is Not a Member of the WHPA; + Individual is NOT Registered with the WHPA; (P) = Member Organization is Pending Approval from the WHPA Executive Committee.*

Agenda

The following agenda was distributed to the roster prior to the meeting.

GENERAL REMINDERS

- Adherence to the WHPA **Code of Conduct** is required.
- Disclose any potential conflicts of interest as it relates to meeting content, particularly prior to any votes that may occur.
- Identify yourself prior to speaking, clarifying the organization on whose behalf you are speaking, or if you are making a personal comment.
- Mute yourself when not speaking. (*6 will take you on and off mute.)

AGENDA ITEMS

1. **Roll Call** – WHPA Staff – 5 min
2. **Prior Minutes Approval** – Chair – 2 min
 - a. September 11, 2017
3. **Feasibility of Online Permitting Memo Vetting Review** – Chair – 50 min
4. **Meeting Next Steps Overview** – Chair - 3 min
 - a. Next Meeting: Monday, October 23, 2017 from 9:00am – 10:00am PDT (Tentative)
 - b. Next Agenda: Feasibility Memo Final Review and Escalation Vote
5. **Adjournment** by 10:00am PDT – Chair

Prior Minutes Approval

The September 11, 2017 Draft Meetings Notes Summary was emailed to the roster for review prior to the meeting.



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Eric Taylor (Enalaysy) motioned and the Chair seconded the motion to approve the September 11, 2017 meeting minutes. The motion carried with no discussion.

ACTION: WHPA Staff to post the final September 11, 2017 Meeting Minutes to the WHPA Online Permitting Working Group's webpage.

Feasibility of Online Permitting Memo Vetting Review

The Feasibility of Online Permitting Memo Draft dated October 16, 2017 was emailed to the roster for review prior to the meeting.

The Chair reported that he worked to consolidate comments received by those who had volunteered to help generate the Draft Feasibility of Online Permitting Memo.

In reply to Eric Beriault's (Energy) request for timeline clarification, WHPA Staff confirmed that all needs to be done by October 31, 2017 for escalation to the Executive Committee. The WHPA Executive Committee is expected to vote on the Feasibility Memo in November 2017.

FINALIZATION DISCUSSION

The Chair facilitated vetting discussion about the Draft Feasibility Memo.

ACTION: WHPA Staff to adjust Graphic 1 in the Draft Feasibility Memo so that it is easier to read when printed in black and white.

Side Note 1, Page 1: Memo "To" Clarification Discussion

WHPA Staff clarified that due to limited turnaround time, an exception has been made to escalate this Memo directly to the Executive Committee with understanding that the Memo is primarily a summary of the five prior OPWG Memos already approved through the Executive Committee.

DECISION: There was general agreement to change the Draft Feasibility Memo "To" party to the "WHPA Executive Committee".

Side Note 2, Page 1, Opening Paragraph: Citation Need for "Less than 10%" Reference Discussion

The following WHPA Staff side note comment was discussed: *"Source citation is needed for this. Was this based off the following content from the Work Product Summary for the Compliance Committee's Online Permitting Roadmap: 'The issue of permitting and code compliance for Heating, Ventilating and Air Conditioning (HVAC) systems has been the subject of discussion within the regulatory policy arena for many years. The California Energy Efficiency Strategic Plan (Strategic Plan) originally released in 2008 (and updated in 2011) identified that less than 10 percent of HVAC systems obtain legally required pre-installation local building permits.' The Strategic Plan established specific goals to facilitate the 'consistent and effective compliance, enforcement, and verification of HVAC-related building and appliance standards'. One of these goals was to streamline the local government permitting system."*

- There was suggestion to refer either to the Online Permitting Roadmap or the HVAC 6 Results as sourcing clarification for the idea that the estimates appear to not have significantly changed since the prior amounts.
- WHPA Staff (Paul Kylo) clarified that he could add footnote citation for Steve Mohasci's study, which initially referenced the percentage, as well as for the HVAC 6 Results, which reaffirmed a low compliance percentage.
- Eric Beriault (Energy) voiced agreement with the idea of citing multiple sources, but noted that he did have issue with the smaller sample size in the HVAC 6 study.

DECISION: There was general agreement to cite multiple sources to support the 10% reference number on Page 1 of the Draft Feasibility Memo.

Side Note 4, Page 2, Background Compliance White Paper Reference Discussion

The Chair brought awareness to the following WHPA Staff side note comments: *"For timeline clarification, the OPWG and its Memo work based on the Online Permitting Roadmap was developed prior to the Compliance Committee's White Paper. As the White Paper has not yet been approved by either the Compliance Committee nor the Executive Committee as an official WHPA Work Product, it should not be so heavily discussed in the Background section."*



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ACTION: WHPA Staff to clean up the Background section of the Draft Feasibility Memo to clarify the citation of background information that was not available when the OPWG started their Memo development activity.

Side Note 5, Conclusion, Page 6, “Contractor Perspective” Discussion

The following WHPA Staff side note comments were discussed:

Is this an accurate summary of the content in the 5 Memos?

- **IF SO**, for balance, a *Jurisdictional Perspective* summary also needs to be added.
- **IF NOT**, it is suggested that the *Contractor Perspective* content be removed from the Memo but **EITHER**
 - ✓ referenced on the *Work Product Summary* transmittal as a “Next Step” for further review and consideration, or in the “*Outstanding Issues/Debates/Minority Views*” section; **OR**
 - ✓ included in the *Compliance Committee’s White Paper* on “*Understanding the Residential HVAC Compliance Shortfall*”.

DECISION: There was general agreement that the “Contractor Perspective” and its associated footnote in the Conclusion section will be removed from the Draft Feasibility Memo and included in the Work Product Summary “Next Steps” section.

DECISION: There was general agreement to replace direct White Paper reference with reference to White Paper development discussion per Compliance Committee meeting notes, etcetera in the Draft Feasibility Memo.

Background, Page 2, “Ensuring ANSI Accepted ACCA QI Procedures are Followed” Content Discussion

Judy Roberson (CEC) commented that she did not recall the foundational Memos nor prior OPWG vetting discussion about content reading, “...but only if it includes a method of ensuring ANSI accepted ACCA Quality Installation procedures are followed. Without a standardized online permitting system complete with verification uploads, there is essentially no reasonable tool for achieving the goal set out in the CEC’s Energy Efficiency Action Plan for transforming California’s existing residential housing stock to high efficiency buildings.”

- Bob Barks (CALBO) clarified that ACCA and ANSI are listed in the back of the Standards in the Mechanical Codes.
- Judy Roberson (CEC) asked if the OPWG discussed how that relates to an online permitting system.
- WHPA Staff clarified that this Memo can only be summarizing what was done in the five foundational memos. If this was specifically referenced in those prior memos, it can be included. Otherwise it cannot.

ACTION: WHPA Staff to determine if the reference in the Draft Feasibility Memo on page 3 to “...if it includes a method of ensuring ANSI accepted ACCA Quality Installation procedures are followed...” was included in prior memos. If so, it will be cited and edited per Bob Barks’ (CALBO) comment about ACCA and ANSI being listed in the back of the Mechanical Codes Standards. If the language was not included in the foundational memos, the language will be removed.

Background, Pages 3-4, Paragraph Starting “Successful deployment...” Discussion

Bob Barks (CALBO) suggested that that the language “would” in the background paragraph that starts, “Successful deployment...” be softened to “should” or “could” since it is a recommendation and is not in existence yet.

DECISION: There was general agreement to change “would” references to “should” or “could” in the paragraph starting “Successful deployment” on pages 3-4 in the background section of the Draft Feasibility Memo.

Memo 4, Page 5, 2nd Bullet Discussion

ACTION: WHPA Staff to add percentage for the 29 respondents’ statistic to the Draft Feasibility Memo.

Conclusion, Page 6, Sentence Starting “As many as half the jurisdictions....” Citation Discussion

It was reported that the line stating, “As many as half of the jurisdictions in the state do not enforce all Title 24 requirements or ACCA’s QI standards” does not have a citation.

- Bob Wiseman (IHACI) confirmed agreement that the ACCA reference does not fit.
- The Chair suggested removing the full paragraph, which includes this sentence, from the conclusion section.
- Eric Taylor (Enalaysys) suggested adjusting the paragraph rather than removing it, but with some type of citation.
- Charles Segerstrom (Consultant) suggested clarifying something like, “According to HERS Providers, Title 24 implementation is inconsistent.”



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- Russ King (CalCERTS) voiced agreement for that suggestion. He also noted that while it does not mean they are not enforcing it, a little less than half the California Building Departments are signed up to use the HERS Registry.
- Mike Thompson (Enalaysys) reported that based on his former work with the CBPCA HERS Providership, “a goodly number” of jurisdictions in California do not enforce all portions of Title 24.
- The Chair suggested including a HERS Rater perspective wherever the Contractor Perspective ends up being put.
- There was general agreement that the existing content is accurate, but that there was not specific citation for it.
- The Chair suggested that WHPA Staff review and include content clarifying that, “based on reported OPWG member HERS stakeholder experience in processing required permitting, a large percentage of jurisdictions are not enforcing the full Title 24 requirements.”
 - Bob Johnson (CHEERS) reported that based on feedback they received from HERS Raters, Building Departments are often requiring additional testing. He confirmed that he was not comfortable with the above statement being included.
 - Russ King (CalCERTS) commented that based on the above discussion, there have been reports from two current Providers that there is conflicting information. He suggested including notation of agreement that there is a disconnect with what is being asked for by the Jurisdictions and Title 24 requirements.
 - There was general agreement that uniformity for permitting requirements across the board is needed for understanding of expectations.
- WHPA Staff clarified that the focus of this Memo is on how online permitting might assist the permitting process but not on the permit process itself, and that the Memo content needs to remain focused on what was covered in the five prior Memos, and how the content of the prior Memos relates to the feasibility of the online permitting process.
- Eric Taylor (Enalaysys) suggested removing this HERS Rater and HERS Providership paragraph so it does not cause issue upon Memo approval.
 - The Chair agreed that the Feasibility Memo needs to remain on task and that the paragraph should be removed.

DECISION: There was general agreement to remove the Conclusion paragraph on Page 6 starting, “As many as half the jurisdictions...” from the Draft Feasibility Memo.

ACTION: WHPA Staff to include information about the HERS perspective (from the Conclusions Page 6 discussion) in the Work Product Summary “Next Steps” section as a recommended further research area related to the larger picture of permitting.

Conclusion, Pages 6-7, Paragraphs 2 and 3 Suggested Additions Discussion

Bob Barks (CALBO) suggested that the second and third paragraphs in the Conclusion section need to indicate that there are jurisdictions that already have their own online permitting systems that are functional, and that perception should not be made that the recommendation is for them to “throw out” what they have already have in for a third-party software. There will be push-back otherwise. Jurisdictions that have already made that investment might agree that some coordination is needed and that they might want to take advantage of the benefits of a standardized system.

- WHPA Staff confirmed that the above point was included in the Best Practices Memo.
- Bob Barks (CALBO) suggested that the second paragraph be modified to read, “the private sector and jurisdictions have created working systems”. He also suggested that the third paragraph be modified to indicate that implementation of a more standardized, statewide system could potentially be done at no cost or low cost. He noted that this would enable the greatest opportunity for collaboration between the private sector and those jurisdictions that already have something in place to come up with something better.

DECISION: There was general agreement for Conclusion paragraph 2 to clarify private sector “and jurisdictions” in the Draft Feasibility Memo.

DECISION: There was general agreement to use the Best Practices in Online Permitting Memo bullet references as needed to clarify in Draft Feasibility Memo Conclusion paragraph 3 that implementation of a standardized system can be done at no cost or limited cost to individual municipalities.

VOTE

The Chair asked for a motion on the Feasibility of Online Permitting Memo.



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MOTION: Eric Taylor (Enalasy) motioned to approve the Feasibility of Online Permitting Memo with the edits discussed during the meeting for escalation to the WHPA Executive Committee. Eric Beriault (Energy) seconded the motion. As the consensus vote was unclear, WHPA Staff conducted a roll call vote with the following results:

Member Organization	Rep First Name	Rep Last Name	WHPA Category	Memo VOTE Cast
Air Conditioning Guys (Becerril Air/dba A/C Systems)	Louis	Fuentes	Contractor (Residential)	aye
Building Media, Inc.	Craig	Savage	Educator, Trainer	aye
CALBO (California Building Officials)	Bob	Barks	Codes & Standards Official (Association or Jurisdiction)	nay – wanted to review incorporated edits first
CalCERTS	Russ	King	Certifying Body	aye
CEC (California Energy Commission)	Judy	Roberson	Government (Other than CPUC)	aye
Charles F. Segerstrom, Energy Efficiency Consultant	Charles	Segerstrom	Energy Efficiency Program Consultant	aye
Enalasy	Eric	Taylor	Third Party Quality Assurance Providers	aye
EnerGtech Experts	Brent	Locke	Energy Efficiency Program Consultant	nay
Energy CA LLC, The	Eric	Beriault	Third Party Quality Assurance Providers	aye
IHACI (Institute of Heating and Air Conditioning Industries)	Bob	Wiseman	Contractor Association	nay - wanted to review incorporated edits first

DECISION: The motion for approval and escalation of the Feasibility of Online Permitting Memo with discussed edits carried with 7 “ayes”, 3 “nay”, and 0 “abstain” votes cast without further discussion.

ACTION: WHPA Staff to finalize the Feasibility Memo reflective of October 16, 2017 decisions and email the final version with the Work Product Summary to the OPWG roster prior to distribution to the WHPA Executive Committee.

MEETING NEXT STEPS OVERVIEW

As all tasks of the WHPA are considered complete with the approval of the Feasibility Memo pending the approved revisions, the tentative October 23, 2017 meeting was cancelled. No further meetings were planned.

CLOSING COMMENTS/ADJOURNMENT

WHPA Staff thanked all for their time, passion, and commitment to the OPWG.

Co-Chair Louis Fuentes (Air Conditioning Guys) voiced appreciation for the OPWG’s work as well as the leadership provided by the previous Chair, Allison Paul (CHF-CIRB).

Eric Taylor (Enalasy) voiced appreciation for WHPA Staff and the WHPA Compliance Committee Chair’s leadership as well. The Chair adjourned the meeting at 10:21 am PDT.

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SUMMARY OF ACTION ITEMS AND KEY DECISIONS (from above)

ACTION ITEMS

- ACTION:** WHPA Staff to post the final September 11, 2017 Meeting Minutes to the WHPA Online Permitting Working Group’s webpage. (DONE)
- ACTION:** WHPA Staff to adjust Graphic 1 in the Draft Feasibility Memo so that it is easier to read when printed in black and white. (DONE)
- ACTION:** WHPA Staff to clean up the Background section of the Draft Feasibility Memo to clarify the citation of background information that was not available when the OPWG started their Memo development activity. (DONE)
- ACTION:** WHPA Staff to determine if the reference in the Draft Feasibility Memo on page 3 to “...if it includes a method of ensuring ANSI accepted ACCA Quality Installation procedures are followed...” was included in prior memos. If so, it will be cited and edited per Bob Barks’ (CALBO) comment about ACCA and ANSI being listed in the back of the Mechanical Codes Standards. If the language was not included in the foundational memos, the language will be removed. (DONE – *The language was removed.*)



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5. **ACTION:** WHPA Staff to add percentage for the 29 respondents' statistic to the Draft Feasibility Memo. (DONE)
6. **ACTION:** WHPA Staff to include information about the HERS perspective (from the Conclusions Page 6 discussion) in the Work Product Summary "Next Steps" section as a recommended further research area related to the larger picture of permitting. (DONE)
7. **ACTION:** WHPA Staff to finalize the Feasibility Memo reflective of October 16, 2017 decisions and email the final version with the Work Product Summary to the OPWG roster prior to distribution to the WHPA Executive Committee. (DONE)

KEY DECISIONS

1. **DECISION:** There was general agreement to change the Draft Feasibility Memo "To" party to the "WHPA Executive Committee". (DONE)
2. **DECISION:** There was general agreement to cite multiple sources to support the 10% reference number on Page 1 of the Draft Feasibility Memo. (DONE)
3. **DECISION:** There was general agreement that the "Contractor Perspective" and its associated footnote in the Conclusion section of the Draft Feasibility Memo will be removed and included in the Work Product Summary "Next Steps" section. (DONE)
4. **DECISION:** There was general agreement to replace direct White Paper reference in the Draft Feasibility Memo with reference to White Paper development discussion per Compliance Committee meeting notes, etcetera. (DONE)
5. **DECISION:** There was general agreement to change "would" references to "should" or "could" in the paragraph starting "Successful deployment" on pages 3-4 in the background section of the Draft Feasibility Memo. (DONE)
6. **DECISION:** There was general agreement to remove the Conclusion paragraph on Page 6 starting, "As many as half the jurisdictions..." from the Draft Feasibility Memo. (DONE)
7. **DECISION:** There was general agreement for Draft Feasibility Memo Conclusion paragraph 2 to clarify private sector "and jurisdictions". (DONE)
8. **DECISION:** There was general agreement to use the Best Practices in Online Permitting Memo bullet references as needed to clarify in Draft Feasibility Memo Conclusion paragraph 3 that implementation of a standardized system can be done at no cost or limited cost to individual municipalities. (DONE)
9. **DECISION:** The motion for approval and escalation of the Feasibility of Online Permitting Memo with discussed edits carried with 7 "ayes", 3 "nay", and 0 "abstain" votes cast without further discussion.