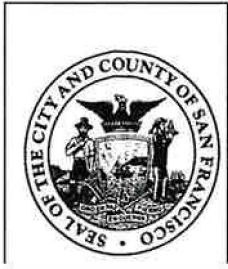


***BIC Regular Meeting
of
October 19, 2022***

***Agenda Item 12
Regular Meeting Minutes of August 17,
2022***



**BUILDING INSPECTION COMMISSION (BIC)
Department of Building Inspection (DBI)**

REGULAR MEETING

Wednesday, August 17, 2022 at 9:00 a.m.

Remote Hearing via video and teleconferencing

Watch SF Cable Channel 78/Watch www.sfgovtv.org

WATCH: <https://bit.ly/3vCN8Wm>

PUBLIC COMMENT CALL-IN: 1-415-655-0001 / Access Code: 2488 742 3353

DRAFT MINUTES

- 1. The regular meeting of the Building Inspection Commission was called to order at 9:20 a.m.
Call to Order and Roll Call.**

COMMISSION MEMBERS PRESENT:

Raquel Bito, **President**

Alysabeth Alexander-Tut, **Commissioner**

J.R. Eppler, **Excused**

Bianca Neumann, **Commissioner, Excused**

Jason Tam, **Vice-President**

Angie Sommer, **Commissioner**

Sonya Harris, **Secretary**

Monique Mustapha, **Assistant Secretary**

D.B.I. REPRESENTATIVES:

Patrick O’Riordan, **Director**

Christine Gasparac, **Assistant Director**

Joseph Duffy, **Deputy Director, Inspection Services**

Neville Pereira, **Deputy Director, Plan Review Services**

Ray Law, **Legislative and Public Affairs Manager**

CITY ATTORNEY REPRESENTATIVE

Robb Kapla, **Deputy City Attorney**

Ramaytush Ohlone Land Acknowledgement:

The Building Inspection Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as

First Peoples.

2. FINDINGS TO ALLOW TELECONFERENCED MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION 54953(e). (*Discussion and Possible Action*)

The Commission will discuss and possibly adopt a resolution setting forth findings required under Assembly Bill 361 that would allow the BIC to hold meetings remotely according to the modified Brown Act teleconferencing set forth in AB 361.

Commissioner Alexander-Tut made a motion, seconded by President Bito, to continue to meet remotely for the next 30 days.

The motion carried unanimously.

RESOLUTION NO. BIC 052-22

President Bito made a motion, which was seconded by Vice President Tam to move agenda items 12 and 13 after item 5.

Secretary Harris Called for a Roll Call Vote:

President Bito	Yes
Vice President Tam	Yes
Commissioner Alexander-Tut	Yes
Commissioner Eppler	Excused
Commissioner Neumann	Excused
Commissioner Sommer	Yes

The motion carried unanimously.

There was no public comment.

RESOLUTION NO. BIC 053-22

3. President's Opening Remarks.

President Bito made the following remarks:

President Bito made a motion, which was seconded by Vice President Tam to move agenda items 5, 12, and 13 to the beginning of the meeting.

Secretary Harris Called for a Roll Call Vote:

President Bito	Yes
Vice President Tam	Yes
Commissioner Alexander-Tut	Yes
Commissioner Eppler	Excused
Commissioner Neumann	Excused
Commissioner Sommer	Yes

The motion carried unanimously.

There was no public comment.

RESOLUTION NO. BIC 054-22

5. General Public Comment: The BIC will take public comment on matters within the Commission’s jurisdiction that are not part of this agenda.

Mr. Jerry Dratler said that each City Commission was required to submit an Annual Report to the Board of Supervisors (BOS), and each Commissioner would address important issues of the Department they oversee. Mr. Dratler suggested the BIC address the following issues in their report:

- DBI plan to reduce the \$30 million operating loss.
- The result of the internal investigation of corruption.
- Changes implemented to address internal control weaknesses outlined in the public integrity review.
- Mayor Breed’s response to the Controller’s report was to issue an executive directive to reform DBI.

12. Discussion and possible action on the annual performance evaluation for the BIC Secretary. (Continued from the April 20, 2022 Regular Meeting.)

a) Public Comment on all matters pertaining to the Closed Session.

Please note: Agenda items 12 and 13 were called together.

There was no public comment for items 12 and 13.

b) Possible action to convene a Closed Session.

President Bito made a motion, seconded by Commissioner Alexander-Tut, to convene a Closed Session for items 12 and 13.

The motion carried unanimously.

RESOLUTION NO. BIC 055-22

Secretary Harris Called for a Roll Call Vote:

President Bito	Yes
Vice President Tam	Yes
Commissioner Alexander-Tut	Yes
Commissioner Eppler	Excused
Commissioner Neumann	Excused
Commissioner Sommer	Yes

c) CLOSED SESSION: Pursuant to Government Code Section 54957(b)(1) and the San Francisco Administrative Code Section 67.10(b).

The Commission convened a Closed Session at 9:27 a.m.

d) Reconvene in Open Session to vote on whether to disclose any or all discussions held in Closed Session (Administrative Code Section 67.10(b)).

The Commission reconvened in Open Session at 11:20 a.m.

Vice President Tam made a motion, seconded by Commissioner Bito, to reconvene in Open Session and not disclose any or all discussions held in Closed Session.

Secretary Harris Called for a Roll Call Vote:

President Bito	Yes
Vice President Tam	Yes
Commissioner Alexander-Tut	Yes
Commissioner Eppler	Excused
Commissioner Neumann	Excused
Commissioner Sommer	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 056-22

**13. Discussion and possible action on the annual performance evaluation for the Director.
(Continued from the April 20, 2022 Regular Meeting.)**

a) Public Comment on all matters pertaining to the Closed Session.

Please note: Agenda items 12 and 13 were called together.

There was no public comment for items 12 and 13.

b) Possible action to convene a Closed Session.

President Bito made a motion, seconded by Commissioner Alexander-Tut, to convene a Closed Session for items 12 and 13.

RESOLUTION NO. BIC 057-22

Secretary Harris Called for a Roll Call Vote:

President Bito	Yes
Vice President Tam	Yes
Commissioner Alexander-Tut	Yes
Commissioner Eppler	Excused
Commissioner Neumann	Excused
Commissioner Sommer	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 058-22

- c) **CLOSED SESSION:** Pursuant to Government Code Section 54957(b)(1) and the San Francisco Administrative Code Section 67.10(b). - **Director of the Department of Building Inspection – Mr. Patrick O’Riordan**

The Commission convened a Closed Session at 9:27 a.m.

- d) **Reconvene in Open Session to vote on whether to disclose any or all discussions held in Closed Session (Administrative Code Section 67.10(b)).**

The Commission reconvened in Open Session at 11:20 a.m.

Vice President Tam made a motion, seconded by Commissioner Bito, to reconvene in Open Session and not disclose any or all discussions held in Closed Session.

Secretary Harris Called for a Roll Call Vote:

President Bito	Yes
Vice President Tam	Yes
Commissioner Alexander-Tut	Yes
Commissioner Eppler	Excused
Commissioner Neumann	Excused
Commissioner Sommer	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 059-22

4. Director’s Report.

This item was continued to the next meeting.

- a. **Director’s Update [Director O’Riordan]**
- b. **Update on major projects.**
- c. **Update on DBI’s finances.**

- d. **Update on proposed or recently enacted State or local legislation.**
- e. **Update on Code Enforcement.**
- f. **Update on Housing Inspection Services.**

6. Discussion and possible action regarding the San Francisco Amendments to the 2022 California Building Standards Code, including the Building, Existing Building, Residential, Mechanical, Plumbing, Electrical, and Green Building Codes.

Ms. Michelle Yu presents the Triennial Code Adoption as follows:

- Background
- 2022 California Significant Changes – Climate Action
- 2022 California Significant Changes – Efficiency Dwelling Unit
- 2022 California Significant Changes – Mass Timber
- The Triennial Code Adoption Process
- Code Adoption Package
- Examples of San Francisco Changes

Commissioner’s Questions and Comments:

President Bito said apart from apprising the public, was there a person who sits at the counter in the Permit Center to answer questions regarding the Code or were questions fielded as customers submitted plans.

Ms. Yu said there were various levels where the Department provided service to the customer that would be Code or process related, first an information counter which was for general information, second the technical services counter for code based questions, and finally there was Plan Check for those customers that were ready to submit for a permit and any code related questions at that time the Plan Checker or Technical Services would be able to answer those questions.

President Bito said does the general public have the ability to use the information counter to simply ask questions by walking in or was an appointment needed.

Ms. Yu said the information counter would direct customers who had purely code questions to Technical Services.

Vice President Tam asked once the Code was adopted would it be posted to the website.

Ms. Yu said the Amendments would go to the Board of Supervisors (BOS) and the effective date needed to be in line with the state and that date was January 1, 2023.

Commissioner Sommer said there was also a letter from the Code Advisory Committee (CAC) that discussed the Code changes.

Deputy City Attorney (DCA) Robb Kapla said all the changes that were made were based upon the California law that allowed specific changes to be made either to the processes for reason that were administrative processes or building standards if they met specific certain local reasons or geographic or demographic reasons and we showed an index to define the subsequent reasons for those changes made.

Since there were no new subsequent changes that were adopted as part of the repeal there were just ones that were carried over, and there were no new findings for the Commission to make that as a reminder when the Building Code was amended we would make findings either this was the standard as required for San Francisco or a process allowed locally without having made specific findings.

Commissioner Alexander-Tut asked in regards to the Mass Timber changes were there any retrofitting considerations that would be specific to San Francisco and areas that may have earthquake activity or was that not a requirement?

Ms. Yu said she saw a push for Mass Timber in new construction, but for example with soft-story a lot of the residential buildings do not use Mass Timber and those would be smaller constructions for that use and for larger buildings in San Francisco had historically used concrete or steel. Ms. Yu believed Mass Timber was viable for retrofitting, yet it would be up to the design and preservation of the building characteristics to be maintained.

President Bito made a motion, seconded by Vice President Tam, to approve and adopt the San Francisco Amendments to the 2022 California Building Standards Code, including the Building, Existing Building, Residential, Mechanical, Plumbing, Electrical, and Green Building Codes.

There was no public comment.

Secretary Harris Called for a Roll Call Vote:

President Bito	Yes
Vice President Tam	Yes
Commissioner Alexander-Tut	Yes
Commissioner Eppler	Excused
Commissioner Neumann	Excused
Commissioner Sommer	Yes

The motion carried unanimously.

DCA Robb Kapla said some standard meeting items 4 and 10 did not have to be continued and would be noticed as not heard today and suggested to approve the minutes in item 11, then continue items 7, 8, and 9. There would be a motion to alter the schedule for the next regular meeting of the BIC.

President Bito said the Commission would not have a regular meeting for September 2022 based on DBI staff attending a conference and there would not be full staff attendance.

Director O’Riordan said staff wanted to request the September 2022 meeting to be cancelled due to staffing scheduling conflicts with the California Building Official (CALBO) conference and trainings.

President Bito made a motion, seconded by Vice President Tam to cancel the Building Inspection Commission meeting for September 2022 and resume October 2022.

The motion carried unanimously.

RESOLUTION NO. BIC 060-22

There was no public comment.

President Bito proposed to continue the items that are not regularly heard at the monthly BIC meetings items which were items 7, 8, and 9.

President Bito made a motion, seconded by Commissioner Alexander-Tut, to continue items 7, 8, 9, and 10 to the regular Building Inspection Commission meeting of October 2022.

The motion carried unanimously.

The was no public comment.

RESOLUTION NO. BIC 061-22

7. Update regarding the Client Services Subcommittee.

This item was continued to the next meeting.

8. Update on the Department's reforms initiatives.

This item was continued to the next meeting.

9. Update on the Department of Building Inspection (DBI) website transition to SF.gov.

This item was continued to the next meeting.

10. Commissioner's Questions and Matters.

- a. Inquiries to Staff.** At this time, Commissioners may make inquiries to staff regarding various documents, policies, practices, and procedures, which are of interest to the Commission.
- b. Future Meetings/Agendas.** At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Building Inspection Commission.

This item was continued to the next meeting.

11. Review and approval of the minutes of the Regular Meeting of July 20, 2022.

Vice President Tam made a motion, seconded by Commissioner Sommer, to approve the Regular Meeting minutes of July 20, 2022. The motion carried unanimously.

RESOLUTION NO. BIC 062-22

12. Adjournment.


Vice President Tam made a motion to adjourn the meeting, seconded by Commissioner Alexander-Tut.

The motion carried unanimously.


RESOLUTION NO. BIC 063-22

The meeting was adjourned at 11:47 a.m.

Respectfully Submitted,



Monique Mustapha, Assistant BIC Secretary



Edited By: Sonya Harris, BIC Secretary