



ACCESS APPEALS COMMISSION

MINUTES

Regular Meeting Wednesday, January 27, 2010

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Lerner at 1:13 P.M.

COMMISSION MEMBERS PRESENT:

Mr. Arnie Lerner, President
Mr. William Scott Ellsworth, Vice- President
Mr. Zachary Nathan
Ms. Alyce G. Brown

CITY REPRESENTATIVES:

Ms. Elaine Warren, Deputy City Attorney
Mr. Rick Halloran, Secretary
Ms. Nancy Curvino, Recording Secretary

2. REVIEW AND APPROVAL OF MINUTES

Acting upon a motion by Mr. Ellsworth, the minutes from the October 29, 2009 special meeting were unanimously approved.

3. REVIEW OF COMMUNICATIONS ITEMS:

None

4. ELECTION OF OFFICERS:

Following a discussion the following officers were elected by the commission to serve until the first meeting in November 2010:

Arnie Lerner	President
William Scott Ellsworth	Vice-President

5. NEW APPEAL: No. 10-01

335 Powell Street

The Commission postponed this item until after item #6. After a decision was reached on item 6, the Commission heard testimony on the elevator control system by Ms. Kathleen Finnerty and George Von Klan, representatives of the Otis Elevator Company and the Saint Francis Hotel. After lengthy discussion and questioning, agreement was reached upon how each condition of the current draft of the San Francisco Administrative Bulletin AB -090 Destination-Based Elevator Control System Requirements would or would not be implemented. A motion was forwarded by Commissioner Brown and the request for unreasonable hardship was ratified unanimously.

6. CONSENT CALENDAR

Embarcadero Center 1-4

This is a consent calendar case 08-06 from an old appeal No. 92-23,24,25,26. Mr. Danny Murtagh of Boston Properties requested that the Commission extend a prior approved exemption and equivalency for the non conforming revolving front doors at Embarcadero Center #1,2 and 3. He testified that there is currently an approved plan to install a compliant door at building #4, and that Boston Properties will be altering the remaining three building entrances over the next three years. Commissioner Brown presented a motion that the motion be granted for three years during which time all three remaining doors shall be brought into compliance with current accessibility codes. The motion passed unanimously.

7. DISCUSSION AND POSSIBLE ACTION ON VARIOUS ADMINISTRATIVE MATTERS:

7.1 BY-LAWS AMENDMENT. CO-SIGNATURE ON NOTICES OF DECISION BY BOARD PRESIDENT.

Mr. Walter Park presented a proposed amendment to Rule 8 (d) and (g) of the AAC By-laws. Discussion was held on section (d) and Ms Elaine Warren, Deputy City Attorney spoke to how the building code and by-laws specify that the commission make decisions and recommendations in the form of a resolution. Further discussion was held on the desirability of the President to review decisions prior to the decision being sent to the appellant or made publicly available. (No discussion was held on section (g)). A motion was made by Mr. Zachary Nathan to have staff prepare a new amendment for review by the commission at the next meeting reflecting the changes discussed. The motion passed by a vote of 3 to 1 with Commissioner Brown voting against the motion.

7.2 BY-LAWS AMENDMENT. REQUIREMENTS FOR ELECTRONIC SUBMISSION OF PORTIONS OF ACCESS APPEALS PACKET.

Mr. Park presented a proposal that the AAC by-laws rule 5 be amended to require electronic submittal of appeals packets. Discussion was held and the question of copy-right protection for plans was raised. Mr. Park asked that the commission go forward in requiring all text portions of the appeal packet be electronically submitted now and the copy-right question be addressed at a later time. After further discuss, President Lerner tabled the motion until a later meeting for further discussion and instructed staff to further investigate how this might be accomplished and report back at the next meeting.

7.3 DISCUSSION OF SFGOV-TV STREAMING OF AAC APPEALS MEETINGS.

Mr. Park proposed that the Commission look into streaming the AAC meetings. Mr. Park pointed out that this would make the meeting more available to the general public and raise awareness about what it is that the Commission does. The Secretary reported that the Information Technology Department of City Hall had informed him that there would be a minimum cost on top of the cost of streaming of at least \$600 per meeting and that streaming was not available on the days the commission meets due to the fact that the Board of Supervisors meets on those days and they hold the afternoon in reserve in case those meeting go longer than expected. The President tabled the motion until an unspecified later date.

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7.4 DISCUSSION OF AAC BUDGET AND HONORARIA.

Mr. Park stated that he had intended to recommend that his Honoraria be reduced when he was a commissioner, but the point is no longer viable now that he is not a member of the Commission. It was pointed out by staff that honoraria are set by the San Francisco Building Code and can not be altered without approval of the Building Inspection Commission.

Mr. Park asked that the commission make a motion to have staff provide the Commission's budget to the Commission for review. The Secretary stated that he had been informed that there is no actual budget for the Commission, but rather a series of line items. The Secretary stated that he had requested the information on the line items but had not as of yet received the. The President instructed staff to bring that information to the next meeting.

8. COMMISSIONERS' AND STAFF'S QUESTIONS AND COMMENTS:

There were no further questions

9. PUBLIC COMMENT:

There was no further public comment

10. ADJOURNMENT:

The meeting was adjourned at 3:47p.m.

Richard Halloran, Senior Building Inspector
Department of Building Inspection
Secretary to the Access Appeals Commission

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