



DEPARTMENT OF BUILDING INSPECTION
City & County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414

ACCESS APPEALS COMMISSION

MINUTES

Wednesday, November 27, 2002

1:00 P.M.

City Hall

1 Dr. Carlton B. Goodlett Way, Room 416

1. CALL TO ORDER AND ROLL CALL

The meeting of the Access Appeals Commission was called to order by President Chatillon at 1:05 PM.

COMMISSION MEMBERS PRESENT: Mr. Francis K. Chatillon, President
Ms. Alyce G. Brown, Vice-President
Ms. Roslyn Baltimore
Ms. Enid Lim
Mr. Linton Stables III

COMMISSION MEMBERS ABSENT: None

CITY REPRESENTATIVES: Mr. Marvin Ruiz, DBI, Secretary
Ms. Susan Pangilinan, DBI, Recording Secretary
Ms. Doris M. Levine, Reporter

2. PUBLIC COMMENT: There was no public comment.

3. APPROVAL OF MINUTES:

President Chatillon noted an item for correction on the November 13, 2002 minutes and Commissioner Stables moved to approve the minutes with that correction. Approved unanimously.

4. REVIEW OF COMMUNICATION ITEMS:
None were received.

Access Appeals Commission Hearing: November 27 2002**5. ELECTION OF OFFICERS:**

Commissioner Stables moved to nominate Vice-President Brown to the position of President and amended the motion to nominate Commissioner Baltimore for Vice-President.

Vote on the motion by Commissioner Stables:

Vice-President Brown	Yes
Commissioner Lim	Aye
Commissioner Stables	Aye
President Chatillon	Aye

The motion passed on a vote of 4-0.

6. CONTINUED HEARING: a) Appeal No. 02-10 (200208224704) 550 California Street

Ms. Parker was sworn in.

President Brown noted the ratification of the 8 foot 2 inch Unreasonable Hardship Request in the prior hearing and that the only thing to be discussed was the 60 inches path of travel ramps in the lobby area.

Commissioner Stables recommended dispensing with the reading of the Summary of the Appeal since it was read at the prior hearing.

Ms. Parker indicated that she had met with President Brown and that Vice-President Baltimore viewed the site at a later time in person. The issues at hand were the widths of the existing ramps, concerns about being able to see someone coming if two wheelchairs need to use the ramps at the same time, and if someone could stop if they entered the ramp. The long ramp has very clear access and everyone agreed that someone could wait and see someone entering the ramp. The ramp that turns would have some difficulties with viewing someone at the opposite end. It is not a steep or long ramp it is just that it turns. The suggestion was made at the site to install mirrors at two locations with two signs with an ISA to clearly identify the ramp for people who cannot use the stairs. She has given Mr. Ruiz a modified exhibit 'L' which identifies the two mirrors and two signs. Widening the ramps is not physically possible.

Vice-President Baltimore said thanks to President Brown for coming up with the suggestion and that it shows the value of a site visit.

President Brown said that discussion at the site indicated that the banisters would be made smaller.

Ms. Parker indicated yes and that it would be part of a permitted barrier removal project that would be underway after the holidays.

Commissioner Stables made a motion to ratify the hardship that was already granted by the DBI with the modifications of the mirrors and signs at the locations shown, based on physical and financial hardship and the equivalent facilitation that was provided.

Commissioner Lim inquired of Public Comment.

Access Appeals Commission Hearing: November 27 2002

There was no Public Comment.

Mr. Ruiz noted the five-year precedent on the prior hardship.

Commissioner Stables amended his motion to include the five-year precedent.

Vote on the motion by Commissioner Stables:

Vice President Baltimore	Aye
Commissioner Lim	Aye
Commissioner Stables	Yes
Commissioner Chatillon	Aye
President Brown	Aye

The motion passed on a vote of 5-0.

Ms. Parker thanked the Commission on behalf of the building owner.

7. PRESENTATION:

Jim Whipple, Building Inspector, made a presentation on the code changes effective November 1, 2002 affecting Chapter 11B – Accessibility to Public Buildings, Public Accommodations, Commercial Buildings and Publicly Funded Housing, of the 2001 California Building Code.

This presentation incorporated a question and answer session.

8. COMMISSIONER AND STAFF COMMENTS AND QUESTIONS:

Commissioner Baltimore suggested that commissioners write down training topics for the Secretary.

President Brown requested review of the last two years of AAC appeals to see whether they have been put in use, with a special note regarding the Shoe Pavilion.

Vice President Baltimore also made note of her desire to know of the remedies associated with Noncompliance with decisions.

President Brown indicated her desire to have more training on a quarterly basis.

Mr. Ruiz also noted future training regarding Chapter 11A – Residential

Commissioner Lim indicated that in the past the commission had asked to be informed of cases that could have been brought to the commission but resolved through staff/administrative review. Sometimes the commissioners feel like they are kept out of the loop and wish to be kept informed.

Mr. Ruiz indicated these items would be addressed.

President Brown indicated she was concerned by the lack of attendance at the AAC hearings. Was there some way to do outreach? The input from the public especially individuals in wheelchairs is helpful in formulating decisions. She would like to see more of the disabled community at the meetings.

Access Appeals Commission Hearing: November 27 2002

Vice-President Baltimore inquired if some of the issues are being discussed with the Mayor's Office on Disability.

Mr. Ruiz indicated that J. Whipple is working with the Mayor's Office in the review of municipal buildings.

President Brown indicate that there are many buildings that are not compliance especially in comparison with Florida.

Mr. Ruiz said that disability compliance is to some extent complaint driven.

President Brown asked if there will be onsite inspections because it usually does not translate into practice as well as it should.

Commissioner Lim asked if there is any way for the department to follow up when there are many small projects and the cumulative effect would be to require full compliance.

Mr. Ruiz said there a problem with this process because there is no mechanism for looking back at 3 years of permits.

Vice President Baltimore said that the commission was asked what they would like to see in the computer system and that was one of the things they requested. Is the computer system up and running? DBI should implement a review of permits going back 3 years.

Mr. Ruiz said that he would convey those concerns back to DBI. That he is the new chief of the commercial plan check division and that he does not have a full understanding of the processes.

9. PUBLIC COMMENT:

There was no public comment and the meeting was adjourned at 2:20 PM

Marvin Ruiz, Chief Building Inspector
Department of Building Inspection
Secretary to the Access Appeals Commission