



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

REGULAR MEETING

Wednesday, January 15, 2014 at 9:00 a.m.

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416

Aired Live on SFGTV Channel 78

ADOPTED April 16, 2014

MINUTES

The regular meeting of the Building Inspection Commission was called to order at 9:10 a.m. by President McCarthy.

1. Call to Order and Roll Call – Roll call was taken and a quorum was certified.

COMMISSION MEMBERS PRESENT:

Angus McCarthy, **President**

Frank Lee, **Commissioner**

James McCray, Jr. **Commissioner**

Debra Walker, **Commissioner**

Sonya Harris, **Secretary**

Warren Mar, **Vice-President**

Kevin Clinch, **Commissioner**

Myrna Melgar, **Commissioner**, (9:25 a.m.)

D.B.I. REPRESENTATIVES:

Tom Hui, **Director**

Edward Sweeney, **Deputy Director, Permit Services**

Dan Lowrey, **Deputy Director, Inspection Services**

Gayle Revels, **Acting Chief Financial Officer**

William Strawn, **Legislative and Public Affairs Manager**

Hema Nekkanti, **IS Project Director**

John Hinchion, **Senior Inspector of Code Enforcement**

CITY ATTORNEY REPRESENTATIVE

John Malamut, **Deputy City Attorney**

2. President's Announcements.

President McCarthy made the following announcements:

- We are continuing to work on a DBI investigation for the December 16, 2013 job site incident on Crown Terrace in Twin Peaks, where site preparation resulted in the existing single family home coming off its shoring and sliding down a steep slope nearly 50 feet. Fortunately, the building was unoccupied, and no one was injured, nor was any adjacent property damaged. More on this later in today's Agenda.
- Congratulations to Director Hui, and thanks to DBI staffers Patty Herrera and others for finalizing DBI's FY12-13 Annual Report. This year's report showed a total of more than

61,000 permits issued, and more than 131,000 inspections completed, with total project valuations exceeding \$3.5 billion. The Annual Report and its highlights have been conveyed to the Mayor and to members of the Board of Supervisors.

- Congratulations to Robert Chun and his excellent team who are managing the new Mandatory Seismic Retrofit program affecting soft story buildings. More than 800 owners, contractors and professionals have participated in the Department's three free public workshops held in October and November. There will be another free public educational opportunity on January 28th, Bill Graham Civic Auditorium, where the Mayor's Director of Earthquake Safety, DBI and numerous others will be in a Trade Fair setup, where customers with questions may learn the details of the compliance requirements. DBI also is investigating a possible Chinese language workshop at the Chinese Cultural Center in Chinatown early in the coming year.
- Please note that an SFGTV video of the Mandatory Retrofitting Workshop is now available online, through YouTube, with a link to the video on DBI's web site, www.sfdbi.org, and on the CAPSS web site.
- DBI responded to several media calls for information, including KQED Radio reporter Brian Goebel, who interviewed Director Hui about Supervisor Chiu's proposed in-law unit legalization legislation. This interview aired on Tuesday, Dec. 17, at 6:30 and 8:30 a.m. We also provided information to the Potrero View, a neighborhood online paper with questions about code enforcement and a specific vacant building; and we provided current SRO building list information to reporter Lauren Smiley, who is writing an article for San Francisco Magazine for an issue expected early in 2014.
- The San Francisco Chronicle also called last week to discuss DBI's Code Enforcement process, due to a scheduled hearing in February announced by Supervisors Wiener and Cohen, where DBI, Planning, the Fire Department and Public Health will explain their respective code enforcement processes. A separate story on an SRO in the Mission District also was published on Jan. 9th, where Inspector James Li of our Code Enforcement staff provided the reporter with details on DBI's Notices of Violation, and Director's Hearing on these violations.
- Director Hui joined Mayor Lee, the Planning Director and others at a news conference in December where the Mayor announced a new Working Group on Housing Production and Rental Stock Preservation. The Working Group is chaired by Director Hui and convened its first meeting last Friday – with a Plan due to the Mayor by February 1st.
- DBI recently received notification from the Department of Environment of the annual filing required to request a departmental waiver from requirements in the Healthy and Clean Air Ordinance, HACTO. The deadline for this year's submitted waiver request is Jan. 23, 2014, and required to enable DBI inspectors to continue to use City vehicles to perform their inspection and emergency response duties.
- Thanks to Director Hui for distributing to the BIC, and to all staff, on Nov. 26th his vision for the Department in the coming year, as well as his listing of 17 accomplishments already completed, or under way. Action items range from implementation nearly one month ago

of the new Cash Management System, iPayment, to ongoing implementation of the new Permit and Project Tracking System.

- Congratulations to Director Hui and senior management staff for holding the first formal pre-application meeting with the owners' representative of 1049 and 1067 Market Street in order to find a code-compliant way to preserve residential units within these buildings. Planning and the owners' representative met on Dec. 12th where the owners made it clear they will retain a significant percentage of the existing units as "Art space with accessory residential units." Planning is awaiting a request from the owners for a "Letter of Determination," which may happen early in 2014 with this document, a second formal pre-application meeting will be convened to fix terms and conditions tied to building life-safety systems.

There was no public comment on the President's announcements.

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

There was no public comment.

4. Director's Report.

a. Update on DBI's finances.

Gayle Revels, Acting Chief Financial Officer, gave an update on DBI's finances and addressed the following points:

- Revenue is continuing to be higher than what was budgeted, and currently charges are 21% higher than expected and a lot of the increase is in Plan Review.
- There have been several large projects submitted this year most likely due to the Code change in January, so DBI is expecting \$16M more in revenue than was currently budgeted.
- In terms of expenses the Department is still seeing savings in employee salaries.
- DBI is expecting to spend more for supplies, and have put in requisitions for cars, buying jackets for staff, new chairs, and several purchase orders are coming through.
- Everything else is on track, and the year will end with savings in salaries because the Department is still hiring but not as fast as has been budgeted.

b. Update on proposed legislation.

Mr. Bill Strawn of Legislative & Public Affairs gave an update on proposed legislation and discussed the following items:

- **Mayor's Executive Directive 13-01** was issued on housing and preservation. DBI is playing an active role in the working group chaired by Director Hui and they met last Friday, and there will be a second meeting this Friday. There will be a plan on the Mayor's desk by the first of February and it is proceeding well.
- Supervisor Wiener and Cohen have called for a hearing asking for DBI, the Planning Department, Department of Public Works, and the Fire Department to come to a Land Use

meeting to talk about code enforcement procedures. Supervisor Wiener is concerned about a situation where there was hoarding and the responsiveness or non-responsiveness of certain departments. They want to look at all the agencies' code enforcement policies to see if there are some legislative proposals coming forward.

- **File No. 131148 – Authorization of Dwelling Units Installed Without a Permit –** Supervisor Chiu's legislation on legalization of in-laws that is scheduled to come to Land Use, but has not yet.
- DBI will participate in a **“Trade Fair” workshop** on January 28th at the Bill Graham Civic Auditorium where they are expecting hundreds of people to come and raise questions about what they need to do if they are qualified or in the pool for mandatory retrofits.
- Update: DBI has accepted 509 screening forms, and released 181 that were not subject to mandatory retrofitting. 61 forms have been rejected due to error and are expected back. 18 permits were filed, and there are 8 permits where retrofitting work maybe under way. DBI has been notified that 3 retrofit jobs have been completed, and the Department is ahead of schedule since forms are not due until the middle of September.
- Vice-President Mar asked if DBI has heard anything from Supervisor Mar's office, because he heard that he is working with Planning on some legislation regarding Tenants In Common (TIC). Mr. Strawn said the Department has not heard anything yet.
- There will be a March 13th update hearing with the Board's Government Audit & Oversight Committee that DBI briefed on its response to the Civil Grand Jury report last year. There was a finding for DBI to hire a consultant to look at the BPR implementation program, and the Personnel Services contract was received this week. The new board was installed in January and it consists of: Supervisors London Breed (Chair), David Chiu, and Katy Tang.

c. Update on Permit Tracking System.

Hema Nekkanti, IS Project Director, gave an update on the Permit Tracking System and discussed the following points:

- The Department is getting ready for the next round of User Acceptance testing, starting the next four weeks.
- Staff is getting the tests for the interfaces they are having with the IVR, there are 6 of them, and testing the mobile devices for Inspections and web permitting.
- Staff will also be testing the prior rounds that have been done.
- There will be a busy schedule for the next four weeks, and towards the end of the phase staff will invite the stakeholders to test the web permitting (electrical, plumbing, mechanical, boiler) and tell them of any tweaks that can be done.

d. Update on major projects.

Director Tom Hui gave an update on major projects and stated that the main reason the revenue went up last month was because of the Code changes, and lots of people submitted their permits for December before the Code changed.

e. Update on code enforcement.

Deputy Director of Inspection Services, Dan Lowrey, presented the following BID, HIS, and CES Performance Measures for December 1, 2013 to December 31, 2013:

Statistics for the Housing Inspection Division

Statistics for the Code Enforcement Division

Secretary Harris called for public comment on item 4, the Director's Report items a-e, and there was none.

5. Discussion and possible action on the proposed budget of the Department of Building Inspection for fiscal years 2014/2015 and 2015/2016.

Acting Chief Financial Officer, Gayle Revels, gave a presentation on the proposed budget of the Department of Building Inspection for fiscal years 2014/2015 and 2015/2016 and discussed the following items:

FY 2014-15 and FY 2015-16 Budget – Revenues

- Current year revenues are 21% higher than the budget. A fee study is currently being contracted.

- The approved budget for FY 2014-15 included a \$15 million reduction in the use of fund balance.
- In FY 2014-15, we estimate that we will collect 7% more in permit fees than the approved budget and will use an additional \$2 million of fund balance.
- In FY 2015-16, we estimate a 1% increase in charges for services, but eliminate the use of operating fund. This results in a decrease of 11% over the proposed FY 2014-15 budget.

FY 2014-15 and FY 2015-16 Budget – Expenditures

- Major area of decrease: one-time capital reserve of over \$14 million.
- Major areas of increase: work orders, credit card processing fees, training, materials and supplies, phase two of the new PTS system, and continuation of the building expansion project study.

FY 2014-15 and FY 2015-16 Changes – Authorized Positions

- The approved FY 2014-15 budget adds 3.08 positions.
- We are requesting an additional 2.62 positions in FY 2014-15, for a total of 5.7 new positions in FY 2014-15, and 0.77 new positions in FY 2015-16.

FY 2014-15 and FY 2015-16 Changes – Other

- Fringe Benefits – increased rates and new positions.
- Travel and Training – technical, inspector, code and supervisory training.
- Materials and Supplies – emergency supplies for new employees and replacing outdated supplies.
- Other Current Expenses – new bank services charges based on credit card transactions.
- Equipment – continues vehicle replacement program at 10 cars per fiscal year, with cars being replaced with cars and trucks with trucks.
- Work Orders – increase funds for work from the Department of Environment for the Construction and Demolition Debris Recovery and Green Building Programs and as needed technical services.
- Digitization Project – funds the multi-year contract
- Phase 2 of the Permit and Project Tracking System additional functions for DBI and Planning and funds the addition of other City departments involved in the permitting process.
- Building Expansion Project – Provides funding to explore the options for the Department to acquire more space to meet customer services.

Commissioner’s & Staff Question & Answer Discussion:

- The City of San Francisco is now doing a two year budget.

- Commissioner Walker asked where the Code Enforcement Outreach grants were listed in the budget? Ms. Revels said they are listed under Housing – 038 on Page 8, Attachment A. There is currently no change and \$2.5M has been authorized.
- Commissioner Lee asked what was the total amount of work orders? Ms. Revels stated \$8.8M.
- Commissioner Melgar commented that Ms. Revels did a great presentation on the budget, and said that it was thorough and explained well. President McCarthy concurred.

Secretary Harris stated that the Commission is required to hold two hearings of the budget, and there was going to be a Special Meeting on February 4th to have the second hearing.

Secretary Harris called for public comment and there was none.

6. Update from the Nominations Sub-Committee.

Commissioner Lee gave an update from the Nominations Sub-Committee and stated that the committee met last Thursday and decided to open the period for accepting applications and resumes for all of the expired seats on the Code Advisory Committee (CAC), Access Appeals Commission (AAC), and the Board of Examiners (BOE). All seats on the CAC expired in August 2013, and three of the seats on the AAC expired in November 2013. All seats, except one, on the Board of Examiners expired in September 2013. The announcement for accepting applications and resumes will list the seats and the criteria for filling them, and the announcement should be posted on the DBI website soon. Potential applicants and persons that want to apply should check the DBI website, and anyone wanting more information on what the three bodies do should contact the respective secretaries: Kirk Means for the Code Advisory Committee, Rick Halloran for the Access Appeals Commission, and Hanson Tom for the Board of Examiners. Commissioner Lee said the committee also needs to fill three new seats on the Board of Examiners, which is already posted on the DBI website. Those three seats were created by the recent soft story legislation and they are: 1) Tenant Seat that is a Licensed Architect or Civil/Structural Engineer, 2) Homeowner/Property Owner that is a Licensed Architect or Civil/Structural Engineer, and 3) Licensed Architect or Civil/Structural Engineer. The deadline for applications and resumes for the expired and new seats will be on February 28th. The Nominations Committee will meet in early March to review applications and figure out what the next step is. The Commission thanked the current members on the three bodies for their work, and asks if they are interested in continuing to serve that they submit an application or letter of interest by the deadline as well. All current members sitting on an expired seat will be asked to continue until they are reappointed or until another person is appointed to that seat. The committee is encouraging the secretaries to help with outreach also.

President McCarthy asked if there was any comment from the Commissioners.

Commissioner Walker thanked the committee for going through the process, and said the sub-bodies help the Commission and staff to move things forward. Commissioner Walker encouraged everyone to apply and go to the website if they are interested in putting some service into the City, because important discussions happen at that level.

Commissioner Lee said many of the seats require special expertise, but many seats are open to Members-At-Large for public input, particularly on the AAC and the CAC.

Secretary Harris called for public comment and there was none.

President McCarthy announced that the BIC would be taking its scheduled recess and would return at 10:30 a.m., and go straight into agenda item 7 which is the discussion on Crown Terrace.

The Commission went into recess at 9:50 a.m.

The Commission reconvened at 10:35 a.m.

President McCarthy thanked the public for allowing the recess since some of the Commissioners had to be sworn in.

7. Discussion regarding 125 Crown Terrace.

Deputy City Attorney John Malamut stated, as you may be aware in this particular case DBI is still in the process of its own investigation of the site. You may have also seen in the newspapers that the City Attorney's Office is also doing its own independent investigation, so I would recommend at least for the time being in order to keep those investigations ongoing and not undermine them that the Commission just take public testimony and we can revisit this at another time.

President McCarthy said with respect to revisiting this another time, that the BIC would calendar the item once they have everything in front of them.

Commissioner Melgar said that it would be great to have some guidance or parameters of what the Commission can and cannot do. As a body for setting policy, if there are issues that pertain to policies and procedures that are faulty or that have permitted something to happen or improper supervision of staff or anything that is the BIC's responsibility to address at which point does the BIC discuss it. Commissioner Melgar asked what are the parameters as far as the City Attorney's investigation vs. the Department's internal investigation?

Deputy City Attorney John Malamut stated that he would try to answer the question, though it may not be ideal. There is a dividing line between the jurisdiction of the Building Inspection Commission and the jurisdiction of the Department in terms of enforcement of the Code requirements, and investigations of the Department and furtherance of enforcement. The Commission can hold hearings and receive input from the Department and public and ask questions of the Department or the public, but because of this jurisdictional boundary there are limits as to what the Commission as a body can actually do in regard to individual projects. In addition, the Commission wears two different hats so one of the hats as the BIC where you have a broad administrative role in the conduct of building inspection and the amendment of the codes that DBI is involved with, but you also wear the hat as the Abatement Appeals Board. So there are instances in that regard you act as an entirely different body, you have a different City Attorney representing you, and you are acting more in the capacity similar to a judge. There are different rules of conduct so oftentimes that issue also comes into play where the role you may take as the Building Inspection Commission, and looking into a certain matter, can then come back to the

Abatement Appeals Board for enforcement type of actions that trigger that process. I urge caution in that regard because you do not want to do anything as the Building Inspection Commission that may undermine your position as the Abatement Appeals Board if an individual project were to come before you.

Commissioner Walker said that it is a fine line, but of most importance right now is there are several investigations going on and until those are complete and until the Commission has the reports it is inappropriate for the BIC to do anything other than take public comment. Commissioner Walker said that she wants to know certainly that the property is safe, because there is the issue of permitting, etc. but this was a building that fell so the BIC wants to know that things are secure on the property and there are not going to be anymore problems.

Vice-President Mar stated that he knows the Department is working very hard to come up with its own report and he encouraged Director Hui to come to that conclusion as fast as possible. Vice-President Mar said that he looked forward to the report, and is sure that the BIC has less control over the City Attorney's Office report and feedback. When the Commission gets those reports he would like to agendize this and discuss how the BIC views the two reports.

Mr. Malamut said that he wanted to point out that the City Attorney was not necessarily going to be submitting a report on its investigation to the Building Inspection Commission. It depends on the outcome of that investigation as to what actions the City Attorney's Office might recommend.

President McCarthy said that he concurred with his fellow Commissioners and when this issue came to light in December they told the public that the BIC would get to the bottom of this and "leave no stone unturned" and have total transparency. President McCarthy said the Commission is reassuring the public this is exactly what is happening, and there will be a comprehensive report that will explain details as to their concerns. Director Hui, the Deputy Directors, and DBI staff have been working on this and it has taken a lot of man-hours so the report should be done shortly. President McCarthy said that he did not want the Director to commit to a timeline, but everyone is involved down to the stakeholders. There may be a special meeting or the BIC may wait until the regular meeting, so there will be time for the Commissioners to digest what is in the report and ask some hard questions if they have not been answered in the report.

Director Hui said that the report could possibly be done by early next week, and it will have final input from everyone.

President McCarthy called for public comment.

Mr. Rodrigo Santos, the Structural Engineer for 125 Crown Terrace, said that the entire team, from the design team to the construction crew apologizes for the incident. Mr. Santos said that they take full responsibility for the incident. The design was reviewed by the Structural Advisory Committee (SAC), which is a group of experts. They spent hundreds of man-hours coming up with a comprehensive set of structural drawings that included every detail in regard to the complexity of that project. DBI attended those meetings, and the committee consisted of a geologist, soils engineer, structural engineer, and an architect. DBI did everything right and all the proper steps were taken. Just to put this into perspective the SAC review lasted seven weeks and cost over \$67,000. Mr. Santos said that he was delighted the Chair of the SAC committee, Mr.

Frank Rollo was present. Lou Gilpin was the geologist, Harvey Hacker was the architect, Tim Matheson was the shoring engineer, and Stephen Liu was the structural engineer – This group would arguably be labeled as the best and the brightest. The set of drawings were approved and the work started approximately eight weeks ago. This was a failure of implementation, and he questioned like all accidents if this could have been prevented? Unfortunately the answer is yes, but they were very fortunate that no one was injured. They were quite cautious about the shoring system, and had a full review of the cribbing system that included wrapping it with plywood providing a lateral bracing system, and an anchoring system.

Mr. Luke O'Brien said that he was one of the team that the previous speaker mentioned. The project sponsor apologizes again for what happened, the trouble that it created, and the stress it caused everybody. He thinks that the reports will ultimately reflect that it was an implementation problem, not a violation of process, codes or anything. The project sponsor has been advised that it would be a good course of action and respectfully asks the Commission to be able to resume the project when everybody feels it is appropriate and the investigations are done. They respectfully ask if they can get to that point as soon as possible for obvious reasons. The project sponsor had the worse night of his life when he heard about this and so did Mr. O'Brien. He wanted to let everyone know that the people involved have been in the construction industry for many years. The company involved with the shoring plan has been in business in the Bay Area for 75 years with an unblemished record. Mr. O'Brien said that this was a genuine accident, a catastrophic accident, but it was an accident and they do happen. It does not make it acceptable or o.k. which is why they made the statement that they are taking responsibility for it. The project sponsor is trying hard to put the situation right, and will make whatever corrections have to be made as far as processes and will do whatever needs to be done.

Mr. Patrick Buscovich said that he is a structural engineer representing his client Brenda Yost. Her home is touching this property, and he was there that night 15 minutes after the incident happened. Mr. Buscovich thanked Director Hui and Deputy Director Sweeney for being very available for this discussion, specifically for his client's concerns. Shoring will be done on his client's property as part of this project. The shoring has not started yet, but the excavation has. Mr. Buscovich has a great relationship with Mr. Santos in terms of coordination. On an engineering side he accepts and acknowledges his apology, and it was an implementation issue as far as what he has seen, but this needs to be addressed. Fundamentally although this is a landslide site, and major excavation has started and stopped winter is coming and it is going to rain sometime so he wants to encourage Mr. Santos to get the foundations in now and not let this sit for the entire winter. They carved out the hill, but the foundations need to be put into this building to protect his client's property and to address the retaining wall at the top of the hill. He had discussions with Mr. Santos about better implementation of this project, and the Building Department is capable of working that out.

Mr. Frank Rollo introduced himself as a geotechnical engineer, and stated that he was the Chair of the SAC Committee implemented by the Department of Building Inspection under the direction of Tom Hui. Mr. Rollo said the design process that was implemented was very thorough and complete and encompassed a complete review. They required the owner to retain geotechnical consultants, shoring consultants, geologists, as well as the structural engineer. The plan was reviewed and checked on two different occasions. His observations were that while the design was thorough and complete the implementation of the design failed. It did not meet the intent of the

design, and his observations are that the requirements of the special inspection which were part of the permit process could have been performed more thoroughly. Mr. Rollo encouraged the Commission to allow the foundation and geologic shoring to continue since as Mr. Buscovich pointed out, there is an open cut. It is important that the rock bolts be installed along the south property line of 115 Crown Terrace. It is important that the shoring get in, and that the home that is sitting there be better secured if it is to remain. Furthermore his recommendation to DBI is to mandate continuous observation during this process. The owners design team should submit frequent, and if that means daily reports, those reports should include photographs so the members of DBI can look at the photograph to see what the progress of the work is, and to see if there are any issues with what is being implemented. The important thing is to install a foundation and basically shore the site, and that needs to be done in accordance with the permit which required special inspection during each of the critical phases. DBI needs to have the confidence that it is being done and the best way to do that is through the proper reporting and memorializing with photographs.

Mr. Steve Williams said that he has represented the adjacent neighbors for a number of years, and they asked him to come to the meeting this morning and echo a lot of what has been heard. Safety and securing the site and the cut that has been made in the hillside is fairly dramatic and it needs to be shored as soon as possible. According to the neighbors they can still hear pieces of the building crumbling, which is a deteriorating situation, and they want it handled as quickly as possible. The neighbors also want the removal of the structure and whatever that is going to take. Mr. Williams said this has always been a demolition and they tried to make that point throughout this process and in front of DBI, at the Board of Appeals, the Board of Supervisors, and the Planning Commission. No one would listen and it is still a demolition and there is no way that the existing site is safer with that structure there. There is also no way any new building is safer with that structure incorporated into it. It has always been a figment of imagination and the use of the Planning Code which was not intended. The neighbors want safety and securing the site to be the number one priority, but they also want that package which is now wrapped and strung from the hillside removed. It is an absurd situation that it is still hanging there.

President McCarthy asked Deputy City Attorney Malamut if it was okay for the Commission to talk about the aspect of safety and to give the Department direction as to their wishes. He asked if this was a separate item that could be discussed.

Deputy City Attorney John Malamut stated that the Commission could express desires about how the site would be best protected, but it is in the Director's jurisdiction to determine how best to address the situation.

Commissioner's & Staff Question & Answer Discussion (Including comments from Mr. Frank Rollo):

There was extensive discussion regarding safety and securing the site. Following are some of the main points that were discussed.

- Securing the site and safety is everyone's priority.
- Director Hui and staff have done a good job handling the situation.
- Making the open cut safe is the item that needs to be addressed.
- The neighbors and the public need to be assured that the site is safe.

- Staff would like the weather proofing to be done and the foundation to be put in place, but DBI needs the Planning Department to weigh in to see how they want to proceed.
- The property is in a recognized slide zone, so something needs to be done quickly before the rains come.
- How long would it take to make the open cut safe? Approximately one month to six weeks.
- There was a complaint and DBI sent an engineer out to inspect the site to make sure it was not moving.
- The site next door has an open cut and the foundation needs to be installed in case of an earthquake.
- The structure is in the way of implementing the shoring and installing the foundation, and maybe in the way of properly providing drainage across the site.
- There needs to be a clear plan in place, and it should be reviewed by DBI. The SAC may need to look at it again but it needs to happen quickly.
- Mr. Rollo, as Chair of the SAC, encouraged the Department to move quickly on securing the site, stabilizing the open cut and installing the foundation.
- It is understandable that the neighbors are concerned about their safety and the security of their properties.
- The Planning Department can deal with the issue of the structure.
- The geologists need to go to the site and look at the cut to see where the bolts should be placed, and a retaining wall needs to be installed. Surface water needs to be directed away from the site.

8. Discussion regarding joint meeting with the Building Inspection Commission and the Planning Commission.

President McCarthy said that he met with President Fong and he was receptive about having a joint meeting, and he promised to get back to him about scheduling it. President Fong also wanted to have a better understanding of what was going to be on the agenda as he does not want this to be a long, drawn out meeting: The agenda items need to be clear and specific.

Commissioner Walker said previously there were three or four joint meetings and some of the same things they started to discuss then need to be discussed now such as: The permit process and interfacing between DBI and Planning. Another issue is the amount of time that it takes Planning to review a permit, and both departments are concerned with providing better service to the public. Commissioner Walker said that she would help with coming up with the verbiage before the next meeting.

Secretary Harris called for public comment and there was none.

9. 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.**

There were no inquiries to staff.

- 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.**

Secretary Harris said that there would be a Special budget meeting on February 4th at 9:00 a.m., and the next Regular meeting is on February 19th.

Vice-President Mar said that he spoke to President McCarthy about this item earlier and maybe with the assistance of Commissioners McCray and Melgar he wanted to request that the Commission get some feedback from the Mayor's Office of Housing. He wanted to discuss the plans to sub-contract some of the Housing Authority properties, even if it is a preliminary plan because the Department has to get ready for the units that are coming online and will fall under its purview regarding tenants and owners. Vice-President Mar said that it does not have to happen at the next meeting, but he wants some outreach to the Mayor's Office and they could schedule someone to come to a future meeting.

Commissioner Walker said that the above item maybe one of the issues to put on the agenda for the joint Planning Commission and Building Inspection Commission meeting.

Commissioner Melgar said that she was not sure if this involved any change of use at all. Her understanding is they are putting out an RFQ to take ownership from the Housing Authority to nonprofit developers. There is some rehab work that is going to be involved, but what that means for DBI is that staff is not inspecting those units unless there was a special process they would fall under the same jurisdiction as other multiple units in the City – It would increase our portfolio by a couple of thousand units.

Commissioner Walker said that she is not sure if this is a Planning issue since the inventory would be taken over. She would like to see the whole packet discussed to see how both departments can work towards moving it forward, and discussing illegal units.

Director Hui stated that this is part of the executive directive from the Mayor's Office and DBI has to report back to the Mayor by February 1st. This issue is a moving target.

Vice-President Mar said that he was thinking of isolating the item about the Housing Authority transition, and he was mainly concerned with the older housing properties since they definitely need work. The Department's workload may increase if there are more complaints from the tenants, so he wants to make sure staff is ready to service both sides.

Commissioner Walker said that the Housing Rights Committee has been involved in public housing issues. DBI had an agreement/MOU with the Housing Authority to prioritize their issues, and that has been in existence for ten years or so. The Housing Rights Committee has been proactive in encouraging that relationship, though not necessarily successfully in the past – They would probably be good since they are a part of the Code Enforcement Outreach Program.

Director Hui said he knows that the change is coming, but is not sure how much impact it would have on the Department. Director Hui said that seven more Housing Inspectors were hired and two more support staff were added to Housing Inspection.

Commissioner Melgar said that it would be good to discuss with the Mayor's Office of Housing about the public housing issue and In-law units. At the Joint meeting the two departments could come up with the best practices and policies.

President McCarthy said that he would try to invite someone from the Mayor's Office to come to speak about this issue.

Secretary Harris called for public comment and there was none.

10. Review and approval of the minutes of the Regular Meeting of October 16, 2013.

Vice-President Mar made a motion, seconded by Commissioner Walker, to approve the October 16, 2013 minutes. The motion carried unanimously.

Secretary Harris called for public comment and there was none.

RESOLUTION NO. BIC 001-14


11. Adjournment.

Commissioner Melgar made a motion, seconded by Commissioner Walker, that the meeting be adjourned. The motion carried unanimously.

RESOLUTION NO. BIC 002-14

The meeting was adjourned at 11:27 a.m.

Respectfully submitted,



Sonya Harris
Commission Secretary

SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS	
Report on 125 Crown Terrace at a future meeting. – McCarthy	Page 12
Discuss possible items, and come up with verbiage for agenda items for the Joint Planning and BIC meeting. – Walker	Page 12
Discuss plan to sub-contract Housing Authority properties. – Mar	Page 13
Discuss the public housing issue and In-law units at the Joint meeting. – Melgar	Page 14

