



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

REGULAR MEETING

Wednesday, March 21, 2012 at 9:15 a.m.

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

Aired Live on SFGTV Channel 78

ADOPTED June 20, 2012

MINUTES

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

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

COMMISSION MEMBERS PRESENT:

Warren Mar, **Vice-President**

Frank Lee, **Commissioner**

James McCray, **Commissioner**

Debra Walker, **Commissioner**

Sonya Harris, **Secretary**

Kevin Clinch, **Commissioner**

Angus McCarthy, **Commissioner/President**

Myrna Melgar, **Commissioner**

D.B.I. REPRESENTATIVES:

Vivian Day, **Director**

Edward Sweeney, **Deputy Director, Inspection Services**

Pamela Levin, **Deputy Director, Administrative Services**

William Strawn, **Communications Manager**

Penny Venable, **IS Project Director**

Joe Duffy, **Sr. Building Inspector**

Dan Lowrey, **Chief Building Inspector**

CITY ATTORNEY REPRESENTATIVE

John Malamut, **Deputy City Attorney**

Jana Clark, **Deputy City Attorney**

2. President's Announcement(s).

Commissioner Mar announced that he was temporarily chairing the meeting until a new President was elected. Commissioner Mar welcomed newly appointed Commissioners McCray and McCarthy to the Commission and said that the Commissioners had been given a tour of DBI the previous week along with recently appointed Commissioner Melgar.

Commissioner Mar acknowledged thank you letters received by the Department on behalf of DBI employees Willy Yau and Tom Hui. Commissioner Mar stated that it was good to hear that Willy Yau was able to help a first time homeowner obtain a permit by assisting her in Chinese. Commissioner Mar thanked six DBI employees who represented DBI at the St. Patrick's Day Parade: Bob Farrow, James O'Sullivan, Evelyn Karcs, Nancy Gutierrez, Joseph Yu and Mira Lee and said that DBI will be present at almost every street fair or festival on the calendar this year. Commissioner Mar said that he forgot to thank Senior Building Inspector Joe Duffy for his participation with Mayor Lee in one of the Mayor's community meetings.

There was no public comment on this item.

3. Present certificates to former Commissioners.

Commissioner Mar said that he was happy to see that former Commissioners Murphy and Hechanova were present as both had served as President's of the BIC. Commissioner Mar thanked the two Commissioners for their leadership and assistance to the BIC throughout the years.

Director Day said that she wanted to thank both Mel and Reuben for helping her in her duties and for their support of staff.

Commissioners Walker and Lee thanked the past President's for all of their hard work and for the direction they shared with all of the BIC Commissioners. Commissioner Lee thanked Commissioner Romero, who was not present, for his many years of service to the BIC and said that he was very helpful when new Commissioners came on board. Commissioner Lee stated that he thought that the Commission really turned around six years ago when Commissioner Murphy was appointed to the BIC and listed the many accomplishments of the Commission during that time.

Commissioner McCarthy thanked Commissioners Hechanova and Murphy for his transition onto the BIC and said that since being appointed he has had numerous conversations with both Commissioners on the process and how to make it more efficient.

Secretary Harris thanked Commissioners Romero, Hechanova and Murphy for their years of service and read the certificates. The certificates read: "In appreciation for your many years of outstanding professional service to the Department of Building Inspection and to the City and County of San Francisco. Your colleagues hereby convey our sincere and heartfelt gratitude for your professionalism, dedication and commitment to the citizens of San Francisco." The certificates were presented to Commissioners Murphy and Hechanova.

Former Commissioners Hechanova and Murphy thanked their fellow Commissioners, Attorney John Malamut, BIC and DBI staff and wished the new Commissioners good luck in their future endeavors.

There was no public comment on this item.

4. Election of BIC President and Vice-President.

Deputy City Attorney John Malamut explained the process for election and said that it would be best to handle motions sequentially starting first with President and then Vice-President.

Commissioner Walker said that Commissioner Mar has served as Vice-President and that no Commissioner appointed by the Board of Supervisors had been President since her term several years ago. Commissioner Walker said that in light of that and in the spirit of working together she would nominate Warren Mar for President. Commissioner Melgar seconded the motion.

Commissioner Mar stated that he would accept the nomination.

Commissioner Lee said that he had given this item a lot of thought and said that he believed that the person sitting in the contractor's seat is the best person to serve as President. Commissioner Lee stated that Commissioner McCarthy had served as President on the Immigrant Rights Commission for five years and had a great deal of experience. *Commissioner Lee made a motion, seconded by Commissioner Clinch that Commissioner McCarthy be President.*

Commissioner McCarthy said that he would accept the motion.

Secretary Harris called for public comment on the motions.

Luke O'Brien of the San Francisco Coalition for Responsible Growth (SFCRG) said that he thought that either candidate would do a good job. Mr. O'Brien said that he thought that Commissioner Mar was fair, reasonable, confident and intelligent with the matters at hand, but said that Commissioner McCarthy is in the trenches and knows the trials and tribulations of an average Joe who walks into DBI to get a permit. Mr. O'Brien stated that he thought that former Commissioner Murphy had accomplished a great deal during his tenure as President because he was a hands-on kind of guy and said that because of that he would support Commissioner McCarthy for President.

Ms. Nancy Wuerfel stated that she wanted to lend her support to Commissioner Mar because of experience and continuity. Ms. Wuerfel said that there is a lot that goes on behind-the-scenes at DBI and said that Commissioner Mar has been part of the process and has helped create new processes that are improved. Ms. Wuerfel said that it is important to look at the years that Commissioner Mar has spent on the BIC and the importance of carrying forward what began with Commissioner Murphy.

Mr. Rodrigo Santos, President of SFCRG said that he wanted to remind the Commissioners that the entire income of DBI and most of Planning rely solely on permit fees as DBI cannot use any general funds for financial help. Mr. Santos said that, as a structural engineer, he can tell that San Francisco is poised for tremendous growth over the next several years. Mr. Santos stated that it is essential that the BIC and DBI help people with the permitting process and said that Angus McCarthy is ideally positioned to be able to take care of that effort.

Mr. Henry Karnilowicz of SFCRG said that he appreciated the time that Commissioner Mar has put into the Commission, but said that he knew Commissioner McCarthy from the Advisory Board to the Redevelopment Agency. Mr. Karnilowicz stated that Commissioner McCarthy has done many

projects and really understands how the permitting process works and how to deal with all aspects of that process. Mr. Karnilowicz said that he would support Commissioner McCarthy as President and welcomed the new Commissioners.

Mr. Bob Noelke of SFCRG, Small Property Owners of San Francisco and the Apartment Association said that Commissioner Mar has been very helpful in the past, but stated that he would support Commissioner McCarthy for President. Mr. Noelke said that small property owners are in real trouble and said that he thought that Commissioner McCarthy would have the flexibility and knowledge to do the best job as Commission President.

Mr. John Keogh of SFCRG congratulated the new Commissioners and stated that he always follows a simple formula in any selection process that involves three things: can do, will do and how fit. Mr. Keogh said that each of the candidates have their strengths, but said that he would support Commissioner McCarthy because of the stronger demonstrated elements to do with the Commission needs, as has been expressed by previous speakers. Mr. Keogh said that Commissioner McCarthy served on a previous Commission where he really served with distinction and has a strong, gregarious personality along with the experience that would be a real asset to the BIC.

There was no further public comment.

Secretary Harris called for vote on the first motion to elect Commissioner Mar as President. The Commissioners voted as follows:

Commissioner Mar	Yes
Commissioner Clinch	No
Commissioner Lee	No
Commissioner Melgar	Yes
Commissioner McCarthy	Yes
Commissioner McCray	No
Commissioner Walker	No

The motion failed by a vote of 3 - 4.

RESOLUTION NO. BIC 010-12

Secretary Harris called for a vote on the second motion to elect Commissioner Murphy as President. The Commissioners voted as follows:

Commissioner Mar	No
Commissioner Clinch	Yes
Commissioner Lee	Yes
Commissioner Melgar	Yes
Commissioner McCarthy	Yes
Commissioner McCray	Yes
Commissioner Walker	No

The motion carried by a vote of 5 - 2.

RESOLUTION NO. BIC 011-12

Commissioner Mar congratulated Commissioner McCarthy and said that he looked forward to working with him.

Commissioner Mar said that now President McCarthy could do the nomination for Vice-President.

President McCarthy opened the floor for Commissioner's comments on nominations.

Commissioner Lee made a motion to elect Commissioner Mar as Vice-President. The motion was seconded by Commissioner Walker.

Commissioner Mar declined nomination.

Commissioner Lee asked Commissioner Mar to reconsider and said that he understood that Commissioner Mar wanted to be President, but said that at the same time he thought it would be a huge missed opportunity for Commissioner Mar not to consider the Vice-Presidency as he is very knowledgeable and has a great working relationship with staff at the Department. Commissioner Lee stated that Commissioner Mar has some great ideas, a real passion for community outreach and has served so well in the past; his service is still needed as Vice-President.

President McCarthy stated that he and Commissioner Mar have not worked together in the past, but have a great deal in common as they both come from immigrant backgrounds and have the same values. President McCarthy said that there is a lot of conversation about the Commissioners working together and said this is one of the main reasons why Commissioner Mar should accept this nomination, to basically reinforce what the Commission says. President McCarthy said that this would be a huge missed opportunity if Commissioner Mar were not to serve as Vice-President and asked Commissioner Mar to reconsider.

Commissioner Melgar asked that Commissioner Mar reconsider his nomination as Vice-President especially in light of his experience in tenant and landlord issues.

Commissioner Walker asked that Commission Mar reconsider the nomination because of his success of working with staff, the public and the development community especially with Code Enforcement issues. Commissioner Walker stated that Commissioner Mar would bring continuity to the leadership of the Commission and would be able to work with President McCarthy to usher in a new day for the BIC to come together to work on the very important issues that face DBI.

Commissioner Mar thanked his fellow Commissioners for their comment and said he would accept the nomination. Commissioner Mar said that he wanted to put his values out there in accepting this nomination and would work on the ability for DBI to serve tenants, landlords and builders at the same time.

Secretary Harris called for public comment.

Former Commissioner Reuben Hechanova and Mr. Bob Noelke of SFCRG spoke during public comment to thank Commissioner Mar for accepting the nomination for Vice-President and to support the work of the new Commissioners going forward.

President McCarthy called for a vote on the nomination. The Commissioners voted as follows:

Commissioner Mar	Yes
Commissioner Clinch	Yes
Commissioner Lee	Yes
Commissioner Melgar	Yes
Commissioner McCarthy	Yes
Commissioner McCray	Yes
Commissioner Walker	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 012-12

President McCarthy thanked everyone for their support in electing him President and said that the BIC and the Department have a real opportunity to help dig this City out of the very difficult time everyone has been in. President McCarthy stated that he is committed to be involved in every aspect of the Department and said that he has tremendous respect for the rank and file and pledged the Commission's support in what staff needs to make things happen in the field. President McCarthy said that one of his main goals would be to secure the future in building especially because it is the small developers that will be a huge factor in rebuilding this town. President McCarthy stated that there are many agenda items that need to be processed to make this one of the greatest cities in the world.

Vice-President Mar said that he thought one of the most important things to do was to get the Permit Tracking System up and running so that all of the different departments involved can work together. Vice-President Mar stated that his goal was to help everyone by streamlining the process to make it easier for everyone.

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. Steve Currier of the Outer Mission Resident's Association stated that he came before the Commission in January with some of his Board Members regarding Code violations in the Outer Mission. Mr. Currier said that at Mr. Sweeney's request he sent a letter to the Department listing the properties that were of concern, some of them for over 25 years, but to date has not received a reply. Mr. Currier spoke about problems at 161 Gambier, 815 Lisbon, 1294 Geneva, 398 Winding Way and offered to give the Commission a list of several properties that should come under Code Enforcement in the area. Mr. Currier stated that he, the Association and the neighborhood are very frustrated with the process and lack of enforcement.

Mr. Shane Mayer, President of the Bayview Resident’s for Improving Their Environment, spoke of a particular concern in his neighborhood which is 4801 Third Street in Mendell Plaza. Mr. Mayer stated that this has been an eyesore for over 20 years and DBI has addressed the issues several times over the years without closure. Mr. Mayer said that the Commission has mentioned Code Enforcement many times and said that this was a perfect example of where \$38M has been spent on the area, but this eyesore still exists. Mr. Mayer asked the Commissioners to make this a priority.

Ms. Ann DeJesus said that she lives on Third Street in the Bayview just across from the eyesore that the previous speaker talked about. Ms. DeJesus asked the Commission to deal with this building as there have been numerous complaints, but nothing has been solved. Ms. DeJesus stated that there are a lot of crimes committed around this building and said it was about time that the Commission dealt with blighted buildings such as this one.

Mr. Robert Davis from the Bayview spoke about the previously mentioned building on Third Street, known as the Bishop White Building, and the City’s inability to collect the nine times multiplier for fines on buildings such as that one and others in the City. Mr. Davis said that the City is losing approximately \$4M in uncollected fees on vacant buildings. Mr. Davis addressed the Notice of Violation process and said that the process is broken in the Bayview and all other parts of the City. Mr. Davis mentioned that there are three departments covering blight in San Francisco, DBI, DPW and DPH and said that the Departments are not communicating as nothing gets solved.

Mr. Quincy Vladimir spoke about 4801 Third Street and said that the building has been deemed structurally unsafe by DBI. Mr. Vladimir said that this is dangerous because many people wait near the building for the 24 Divisadero bus. Mr. Vladimir talked about the crime around the building and asked that the Commission look into this matter and take aggressive action against the owners.

6. APPEALS PURSUANT TO SECTION D.3750.4 OF THE CITY CHARTER

**Appeal by F. Joseph Butler, AIA
of DBI Director’s failure to render a written decision or determination regarding property
located at 550 Jersey Street, Permit Application #201102250973.**

a. Discussion and possible action regarding the Building Inspection Commission’s jurisdiction pursuant to Section D3.750-4 of the City Charter over this appeal.

It was determined that the Commission does have jurisdiction over this appeal and the appeal process was explained by Deputy City Attorney Jana Clark.

b. Presentation by parties including witnesses.

Deputy City Attorney Jana Clark explained the procedure for the presentation of the appeal.

Senior Building Inspector Joseph Duffy gave the following report:

The building at 550 Jersey Street is a two story, single family dwelling, with a 1904 date of original construction. The building underwent a remodel in 2011, including a horizontal addition which

was approved under Permit application 200009201068 and then renewed under Permit application 201102250973. The building has undergone all of the required inspections except final building inspection and a temporary certificate of occupancy was issued on December 21, 2011. Electrical and Plumbing permits have been completed and final sign off has been given. Full sign off has been given by DPW and all required Special Inspections have been submitted to DBI and approved. A final Building Inspection will be performed when Permit application 201109023798 has been approved and issued. This permit is a structural revision to the roof framing which is currently under review with the Planning Department.

Inspector Duffy said that the Commission and all parties had a description of the process and everything is up to date.

Deputy Director of Inspections Ed Sweeney stated that at the request of a Contractor named Damien Quinn who owns a construction company called Ground Zero Construction a meeting was arranged between Mr. Sweeney and the contractor on February 3, 2011 at 9:00 a.m. Mr. Sweeney gave the following report on the meeting:

The Contractor had two projects, a remodel at 2514 – 23rd Avenue, a single family dwelling and 1100-02/2397 – 21st Street where a bar and restaurant were being remodeled. The Contractor made a request at this meeting that DBI stop accepting any further complaints and subsequent inspection for enforcement as the Contractor claimed that DBI was being used to harass and hinder his progress. Mr. Sweeney informed the Contractor that DBI must accept all complaints and do follow up inspections. At the end of the meeting the Contractor asked if Mr. Sweeney could assist with the renewal of a permit for a project at 550 Jersey Street, a horizontal addition of two feet. Mr. Sweeney helped the Contractor to fill out the permit and this was the only permit filled out on February 3, 2011. In the course of assisting this Contractor with the permit, the wrong stamp was used by Mr. Sweeney. The Contractor made it clear that no work had been done on the previous permit. Due to the scope of work the valuation was reduced to \$150,000. The Contractor was told verbally and in writing to proceed to City Planning to obtain their approval. When it was brought to the attention of DBI staff that City Planning approval had not been obtained the permit was revoked on August 3, 2011. On August 15, 2011 City Planning requested that DBI lift the revocation as after review City Planning allowed work to start on the addition. New permits were based on the 2010 Building Codes. This Contractor had the option of doing special inspections for this construction and the Engineer of Record, Santos and Urrutia submitted an overall compliance report to DBI which was written on December 19, 2011.

President McCarthy called on the Appellant.

Ms. Nancy Wuerfel said that she is a member of the Little House Committee, an advocate for good government and an appellant along with Mr. Butler. Ms. Wuerfel stated that this appeal concerns a new permit for a final inspection on a project, when in fact no work had ever begun on the original permit that had expired for nine years. Ms. Wuerfel stated that the new permit was issued without complying with the mandatory conditions imposed by the Building Code. Ms. Wuerfel said that she was present to appeal the failure of the Director to issue a determination on the facts of Code violations presented to the Director and to request that the BIC oppose the reinstatement of the permit. Ms. Wuerfel stated that after numerous complaints there was no response from staff or Executive Management at DBI, but said that the Director did revoke the permit as having been

issued in error. Ms. Wuerfel said that the inspection records show that no work was performed under the original permit which was not vested. Ms. Wuerfel said that Director Day has failed to acknowledge many errors in the processing.

Mr. Joseph Butler stated that he is a member of the America Institute of Architects and is also an appellant in this case. Mr. Butler said that the San Francisco Building Code states that if one wants to commence work on an expired permit where the work has not started a new application is required and a new permit shall be obtained, not renewed. Mr. Butler said that the authority of the Building Official in the State of California to renew a nine year old permit does not exist. Mr. Butler stated that none of the other fees required by various departments in the City were collected even though DBI is talking about losing up to \$4M of uncollected fees for vacant buildings. Mr. Butler said that this permit should have been null and void according to the Code as there were no plans and no specifications, no review by other departments as this is not an over the counter permit; it is a major alteration to a historic building. Mr. Butler stated that the Planning Department was wrong in not requiring a 311 notice and glossed over things that they could not solve.

Secretary Harris called for public comment.

Dr. Derek Kerr said that after working for 20 years at Laguna Honda Hospital he became a whistle blower and that two years after \$250,000 was recovered for the parent gift fund due to a tainted public health contract. Dr. Kerr stated that it took media attention, community action and a law suit to get attention and none of this would have happened if the Health Commission had responded to violations of the Administrative Code. Dr. Kerr said that the BIC has the authority and duty to uphold the Building Codes. Dr. Kerr said that the matter of the Jersey Street permit was explained by Mr. Butler and Ms. Wuerfel and asked that the Commission review the reinstatement of the building permit that was properly revoked in August 2011. Dr. Kerr stated that good oversight and good governance is the solution and said that if there were not good governance what was the point of having this Commission.

Ms. Lynn Yakabucci said that she was speaking as an advocate for good government and asking the Commission to oversee the Department of Building Inspection as the Director has not done. Ms. Yakabucci stated that she could not understand how the permit was appropriately revoked because no work was done on the project and no one looked into the original reason for revocation. Ms. Yakabucci said that the BIC must make sure that the rules be invoked all of the time and asked that the Commissioners support good government.

Ms. Helda Gerafullo said that she was present with a concern of great importance; DBI's failure to enforce the law. Ms. Gerafullo said that there was an undeniable failure on the part of DBI's Executive Director and staff to enforce the Building Codes and said that as a result the Commission should be doing the job for them. Ms. Gerafullo said that she had served on the 2010 Grand Jury that exposed similar failure of San Francisco government, in particular the Ethics Commission. Ms. Gerafullo stated that she was fed up with City and County departments showing favoritism to a select group of people; a perfect example of that being what happened with 550 Jersey Street. Ms. Gerafullo said that this permit had expired and a new permit must be issued. Ms. Gerafullo said that she had faith that the Commission would exercise its authority and that it is not just a sleeping watchdog.

Mr. Henry Karnilowicz said that he wanted to speak on the issues of NOV's and violations of Code Enforcement. Mr. Karnilowicz stated that he does a lot of work with the Building Department and said that is very tough to try to enforce some of these issues due to owners, tenants and a lot of different issues. Mr. Karnilowicz said that from his experience he would not agree that the Building Department is not doing its job; it is not an easy one and there are a lot of buildings that have violations.

Commissioner Walker said that normally these things are heard at the Board of Appeals around the actual permit. Commissioner Walker stated that the Commission was only looking at whether the Director issued or did not issue a proper written response; it is not about the permit itself.

Mr. Bob Noelke stated that he had many dealings with the Department of Inspection; they are very honest. Mr. Noelke said that staff is cooperative and helpful and that these are competent people with a lot of integrity.

Mr. Jim Keith said that he wanted to talk about the process on this issue. Mr. Keith stated that he was asked to speak on behalf of the project sponsor because the project sponsor was so distraught that he felt he could not present the facts appropriately. Mr. Keith said that the BIC did not have jurisdiction over this issue as the San Francisco City Charter says that the Commission's jurisdiction shall not extend to permits that are appealable to the Planning Commission or the Board of Permit Appeals. Mr. Keith said that this appeal was not even filed in a timely fashion as any appeal should be filed with the Commission within 15 days of the challenged decision; there is no jurisdiction. Mr. Keith said that he wanted to go into the merits of the underlying permits. Mr. Keith said that small builders go to the City to pull a permit; a permit was issued and work was started according to the permit; the project sponsor was then notified that the permit was revoked. Mr. Keith said that the Planning Department and DBI then evaluated the issues that were raised by Mr. Butler and the other appellant and found those concerns wanting. Mr. Keith stated that these complaints have been heard again and again and said that his fear is that if this Commission takes jurisdiction it is going to allow an endless stream of complaints to continually harass a builder; this would be a terrible precedent. Mr. Keith said that he hoped the Commission would not take jurisdiction, but if they did, hoped that the BIC would affirm the actions of DBI staff and the Director.

Mr. Patrick Buscovich said that he knew about this case as he lived in the neighborhood. Mr. Buscovich said that the only issue with this permit is to know if work was started under the original permit and said that everything else was garbage.

Mr. Rodrigo Santos said that he could not emphasize how complicated the permitting process is in San Francisco especially in the Planning Department. Mr. Santos said that Planning staff has no issues regarding this project and have no problems validating the configuration of this building and its structural safety and compliance. Mr. Santos said that more importantly, a licensed Structural Engineer wrote an affidavit saying that the structural calculations meet with the current Code and that all of the special inspections are in order. Mr. Santos said that this home is going to be sold to someone and that person will have all of the documents; the Department's job is to validate the permits and a licensed professional has written a letter to say that everything is in order. Mr. Santos stated that this is what is important and critical and said that the BIC must stop this harassment and validate this permit.

Ms. Mary Galvin said that her home is at 2514 – 23rd Avenue and that she owns the property at 550 Jersey Street which has been the subject at this Commission and at the Board of Appeals. Ms. Galvin said that Mr. Butler who has brought this appeal is the Architect of record for Ms. Galvin's next door neighbor, Ms. Wuerfel, and said that these two individuals have combined in a relentless campaign of harassment. Ms. Galvin stated that her family has been defamed and harassed both personally and professionally and said that this has been done under the guise of concerned citizens. Ms. Galvin said that Mr. Butler and Ms. Wuerfel have manipulated multiple San Francisco Boards, Commissions and public agencies to satisfy their own agenda, which appears to be nothing short of the complete and emotional ruin of her family. Ms. Galvin said that her children have been intimidated and harassed to the point that she has requested the police to intervene and said that 23 complaints were called in on her home on 23rd Avenue. Ms. Galvin said that 7 complaints were filed against a restaurant that her family is trying to open on 21st Avenue with the potential loss of 22 jobs. Ms. Galvin said that Ms. Wuerfel suggested to her family at the start of this campaign that she should use Ms. Wuerfel's Architect and that if she did all problems would be resolved. Ms. Galvin stated that at a recent BIC meeting Mr. Butler appeared before the Commission and showed photographs depicting the inside of her home and said that over her dead body did she give permission to this man to enter her home. Ms. Galvin said that once aware of her family's interests in 550 Jersey Street, Mr. Butler and Ms. Wuerfel have transferred their campaign of harassment to that property. At this point in her public comments, Ms. Galvin's three minutes were up.

Mr. Patrick Spears said that he was involved in the building and remodeling of this property and said that the house was built as per approved plans, all inspections were performed as work progressed and the City Inspector and the Engineer of Record all signed off on this job; the job card was finalized on December 5, 2011. Mr. Spears said that the structure meets all Building Codes of 2011 and spoke on the process that went on during construction regarding complaints and reinstatement of the permit. Mr. Spears said that the appeal today was a clear indication of how the process is being manipulated for unscrupulous reasons to circumvent building in San Francisco and asked that the Commission pass this permit and let everyone move on with their lives and allow builders to create more beautiful homes in the City of San Francisco.

President McCarthy called for the three minute rebuttal from the Department.

Chief Building Inspector Daniel Lowrey said that the process of obtaining a permit renewal on the third floor at DBI was looked at in the Business Process Reengineering (BPR) in 2007. Mr. Lowrey said that at that time it was determined that there was too much repetitiveness going from floor to floor, station to station, with the customer waiting a long time to renew permits. Mr. Lowrey stated that DBI staff on the third floor does the renewal of permits on a case by case basis. Mr. Lowrey explained about the stamps to renew permits and said that one stamp was to complete work and obtain final inspection and the other was just to obtain final inspection. Mr. Lowrey stated that if Planning approval is needed then the permit is diverted to Planning, but said that discretion is used on these permits as a lot of the large projects are beyond the time limit and need to be renewed because the project sponsor might have run out of money somewhere along the way. Mr. Lowrey said that some of these permits to small contractors need additional financing and just need more time and that is why DBI does the renewal process. Mr. Lowrey said that this has been the practice for the last seven or eight years, not just under Director Day. Mr. Lowrey stated that if the permit does not have to go to Planning then DBI looks at the scope of the work and renews the

permit; the valuation can change over time because sometimes on a prior permit the project sponsor has paid for inspections that have not been performed as work was not completed. Mr. Lowrey stated that on this permit there was an error as it was checked to go to Planning, but did not; then the permit was revoked awaiting Planning approval and once Planning approved it the permit was reinstated and all inspections were performed; DBI feels that the process has been completed.

President McCarthy called on the appellant for rebuttal.

Mr. Butler said that Pat Buscovich is right as the issue is whether or not work had started. Mr. Butler showed a job card that was issued with the initial permit and said that it is on this card that the District Inspector would sign in the field that she had executed an inspection and would make notes on the back of the card if there were any comments; there are no notes; there were no inspections. Mr. Butler said that on the back of the card there were initials of Carla Johnson, the District Inspection showing the permit application number and the box that says expired is checked and circled with “final” crossed out. Mr. Butler stated that it was clear that no work had been performed on the earlier permits and said that the burden of proof was not with him to show that no work had started; the Department has the record to show that no work had started. Mr. Butler said that going back to the Code, a new permit should have been issued. Mr. Butler said that he regretted that Ms. Galvin was caused any emotional difficulty, but said that the OSHA complaint regarding excavation was found to be valid as there was no permit for excavation. Mr. Butler said that the issue is whether or not work had been performed and if no evidence is in the record to date to demonstrate that, then the Commission must find that a new application should have been made. At this point Mr. Butler’s rebuttal time was up.

President McCarthy called for Commissioner’s comments.

c. Deliberation and possible decision by the Building Inspection Commission to approve, disapprove or modify the decision or determination being appealed.

Commissioner Walker said that she appreciated the rights and responsibilities of the public for appealing permits if they feel that there are issues, however, appealing permits is not in the BIC’s jurisdiction. Commissioner Walker said that these permits and issues are all appealable to the Board of Appeals and that the issue before the Commission is only one of whether or not the Director appropriately or inappropriately did not issue a written response.

Vice-President Mar said that he thought it was important to clarify the point and said that the City Attorney was very clear that DBI is just talking about whether or not the Director of the Department issued in a timely way, which was 15 days, a written decision. Vice-President Mar stated that this is the entire jurisdiction the BIC has today, not whether to revoke the permit or to reissue a permit.

Commissioner Lee said that if this issue went to a hearing and the Director did not give a written decision, then this might be appealable to the BIC, but all that is shown today is a letter to the Director that did not get a response.

President McCarthy said that obviously this is a complex case, but said that the key issue for him is whether the concerns were addressed. President McCarthy said that there is no question about it, every aspect of this case has been addressed; every inspection has been performed. President

McCarthy stated that everything passed with Planning’s process; there was no foul play and obviously the Department did a good job. President McCarthy said the DBI processes almost 53,000 permits a year and a human error was made with this permit, but the problem was rectified and the Department did a very thorough job to make sure that everything was addressed that was brought up by the appellant today.

Commissioner Walker asked the appellant why there was no appeal done to the Board of Permit appeals.

Mr. Butler said that no Notice of Permit Issuance for major alterations was issued nor was any posted on the building; no letter was sent to the neighbors because no new application was made. Mr. Butler said that since no notice went to anyone the opportunity to appeal to the Board of Permit Appeals within 15 days was closed. Mr. Butler said that a new environmental review process would have had to occur if Planning had checked these plans in February 2011. Mr. Butler stated that he went to the Landmark Preservation Advisory Board’s predecessor Board, the Historical Preservation Board and senior staff said that it would not be allowed under the current environmental review procedures that are in place at the Department. Mr. Butler said that the Planning Zoning Administrator did not issue a determination so there was no appealable document and that is why he and Ms. Wuerfel came to the BIC.

After a short discussion on the advice of the City Attorney, Commissioner Walker made a motion, seconded by Commissioner Lee that the appeal is denied based on the findings that the Director did not err or abuse her discretion in not rendering a written decision.

The Commissioners voted as follows:

President McCarthy	Yes
Vice-President Mar	Yes
Commissioner Lee	Yes
Commissioner Melgar	Yes
Commissioner Clinch	Yes
Commissioner McCray	Yes
Commissioner Walker	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 013-12

7. Discussion and possible action for the Commission to convene a Closed Session regarding a PUBLIC EMPLOYEE APPOINTMENT - DEPUTY DIRECTOR.
 - a. Public Comment on all matters pertaining to the Closed Session.

There was no public comment.

- b. Possible action to convene a Closed Session.

Commissioner Clinch made a motion, seconded by Commissioner Lee to go into Closed Session. The motion carried unanimously.

RESOLUTION NO. BIC 014-12

The Commission went into Closed Session at 11:25 a.m.

- c. CLOSED SESSION: Pursuant to Government Code Section 54957(b) and the San Francisco Administrative Code Section 67.10(b). Discussion and possible action to appoint a Deputy Director.**

The Commission reconvened at 11:49 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)).**

Commissioner Walker made a motion, seconded by Commissioner Mar, to disclose the Closed Session discussion. The motion carried unanimously.

RESOLUTION NO. BIC 015-12

President McCarthy announced that Mr. Tom Hui was overwhelmingly approved as Deputy Director of Permit Services. President McCarthy thanked Mr. Hui for taking on the job and the responsibility.

Deputy Director Tom Hui thanked the Commission for his appointment and said that he appreciated the support of the Commission and the Director. Mr. Hui said that it is important for everyone to work together. Mr. Hui stated that the backlog at the Department is improving and said that there are a number of major projects coming in the next few months along with the regular projects that are under \$5M. Mr. Hui spoke about the appeal that was heard and said that staff are human and when mistakes are found the Department tries to correct them quickly. Mr. Hui said that with 550 Jersey DBI had to make sure that Planning approved the project because the neighborhood had to have a voice and secondly, the Department had to inspect to make sure that the structure was safe. Mr. Hui stated that this building is only a two-story residential project and yet so much time was spent on it; the Department is only trying to help homeowners, small developers and major developers to make things fair for everyone. Mr. Hui again thanked the Commission.

- 8. Discussion and possible action regarding proposed ordinance (File #120188). Small Business Month – Fee Waiver Program, introduced by Supervisor Chu recognizing Small Business Month in May 2012; amending the San Francisco Planning Code and the San Francisco Building Code to waive fees for the month of May for certain façade improvements; make findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.**

Ms. Katie Tang of Supervisor Chu's office said that this was legislation introduced to provide permit fee waivers for small businesses that would like to replace their awnings or provide pedestrian lighting. Ms. Tang stated that San Francisco has a tradition of celebrating small businesses during the month of May and this would be a pilot program in May to encourage these

small businesses to replace awnings and to install outside lighting for safety. Ms. Tang said that this would help improve storefronts on commercial corridors and would not include new construction. Ms. Tang said that this legislation has the support of the Small Business Commission and the Code Advisory Committee (CAC); the CAC offered some feedback and that has been incorporated into the legislation. Ms. Tang asked for any questions.

Commissioner Walker said that she thought this was a great idea and said a lot of façade improvements have been done on 6th Street and it really makes a difference to the general activity. Commissioner Walker asked about the cost of this legislation.

Ms. Tang said that it would be \$15,000 for DBI for the month, but said that the budget impact is minimal and the trade off is that the City is educating people that they need to have permits to do this type of work.

Commissioners Walker, Melgar, Lee and President McCarthy all voiced their support for this legislation and asked about outreach. Ms. Tang said that there were fliers that were printed up and would be distributed in several languages; it was already covered by the major Chinese newspapers. Commissioner Walker asked that there be an update on this issue as it might be something that the Department could continue if it is successful in May. President McCarthy said that he would like to see how it plays out in the community.

Commissioner Walker made a motion, seconded by Commissioner Clinch, to approve the legislation. The motion carried unanimously.

RESOLUTION NO. BIC 016-12

- 9. Discussion and possible action regarding proposed ordinance (File #120191), Building Code – Definition of Efficiency Unit, introduced by Supervisor Wiener amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.**

Deputy Director Tom Hui asked that this item be continued at the request Supervisor Weiner as there were some questions that arose during the discussion of this issue at the Code Advisory Committee Meeting. Director Day said that the Supervisor did not indicate a specific time frame for this item to be heard.

Commissioner Walker made a motion, seconded by Commissioner Mar that this item be continued to the call of the Chair. The motion carried unanimously.

RESOLUTION NO. BIC 017-12

- 10. Discussion and possible action regarding Draft #5 of a proposed new Administrative Bulletin #078, Criteria for Waiving Special Inspection Requirements for Signs, Awnings and Canopies.**

Deputy Director Tom Hui explained that this Administrative Bulletin was really a matter of housekeeping to clear up some issues with signs, awnings and canopies. Mr. Hui said that it is overkill to have small businesses produce a Special Inspection for these items and urged the Commission to support the Department.

Commissioner Clinch made a motion, seconded by Vice-President Mar to adopt this Administrative Bulletin. The motion carried unanimously.

RESOLUTION NO. BIC 018-12

11. Discussion and possible action regarding proposed changes to the San Francisco Building Code Sections 106A.3.7 Application expiration, 106A.3.8 Disapproval of application, 106A.3.8.1 Withdrawal of application, 106A.4.4 Permit expiration, and corrections to Section 110A-Schedule of Fee Tables.

Director Day explained that this item came from the Public Advisory meetings and the need for permit applicants and permit holders to have a longer time span to complete their work in this economy. Director Day gave the following points in support of this legislation:

- Extends the time limit on larger projects from one year to two years.
- Project sponsors do not have to keep coming back every year for a permit extension on a project that might take them several years to get all of their addenda submitted.
- DBI will not be collecting money every year on large projects because DBI is not doing work on the project so it not fair to charge fees.
- It could take up to a year or two years to do the structural engineering after a site permit has been approved.
- Sometimes a permit is extended due to financial conditions as people are trying to get loans.
- Allowing the project sponsor 60 days instead of the current 21 days to respond to the notification of cancellation; 21 days is not enough time to get a certified letter returned to the Department.
- Other departments such as Health or DPW weigh in on building permits; the application expiration time originally extended to include every agency that touches the permit; that time limit is unreasonable
- Only time spent plan checking in the Building, Electrical, Plumbing or Mechanical Code will be considered; time spent at other agencies will not be counted.
- In 2007 the fee table for a revised permit for alterations was less than the inspection fee for permits that had no plans.
- People with violations on their property were coming in and drawing up a set of plans to get the penalties reduced on the erroneous amount that was in the fee table for plans; it was not the minimum fee.
- This legislation corrects the fee for an Appeal to the BIC to include the City Attorney's time
- Appointments for over the counter plan check had a fee that was \$400 + 50% of the plan check; that has been changed to a flat fee of \$500.
- Fees for charges in the Records Department were reduced to match the Sunshine Ordinance
- The Department is trying to spur the economy, help permit applicants and staff.

Commissioner Walker asked if a project sponsor could just do nothing on the project. Director Day said that the project sponsor has to submit a letter to the Director or to the unit stating what they have been doing on the project and certifying that they are not abandoning the project.

Commissioner Lee asked if the Department just sends a letter to notify someone if a permit is going to expire or if there is a form that they fill out and return to the Department. Director Day said that there is no form, but the Department sends a letter out to both the project sponsor and the project owners. Director Day stated that the letter gives them the amount to pay if they want to extend the permit; if the permit is over three years old it will be sent back to Planning to make sure that Planning will allow the permit to be extended. Director Day stated that this has been happening for almost five years and there has only been one permit denied as normally permit extension is granted by Planning for any entitlement on a small building. Director Day said that there is a different process for larger buildings that include approval by Planning, and said that it was at the direction of the Mayor to make sure that DBI continue trying to get these buildings built. Director Day said that everyone is trying to spur the economy and said that this would be another help to permit applicants and staff. Director Day stated that DBI is bringing these buildings up to the 2010 Codes as much as possible.

President McCarthy congratulated staff and said that the Director obviously has listened to the Department's clients, the permit holders, as this was a continuous problem for them. President McCarthy thanked Director Day and said that he looked forward to more of this type of analyzing to see what is best for the Department overall.

There was no public comment.

Commissioner Lee made a motion, seconded by Commissioner Walker that the Commission approve this legislation. The motion carried unanimously.

RESOLUTION NO. BIC 019-12

12. Discussion and possible action on CAPSS Implementation team proposed new Administrative Bulletins AB-098, Post-Earthquake Repair & Retrofit Requirements for Wood-Frame Residential Buildings with Three or More Dwelling Units, AB-099, Post-Earthquake Repair and Retrofit Requirements for Concrete Buildings, and AB-100, Post-Earthquake Repair and Retrofit Requirements for One and Two-Family Dwellings.

President McCarthy asked for public comment on this item.

Mr. Laurence Kornfield, a former employee of DBI for many years and now working with the City Administrator's Office on the earthquake safety implementation program, which is the implementation of the CAPSS recommendations, a 10 to 12 years study thru DBI. Mr. Kornfield said that he was present to ask for a continuation of this item as a couple of the outside agencies such as the Structural Engineer's Association and others asked if it could be continued while they do a more formal review.

Deputy Director Tom Hui said that the thought that it was important to implement these Administrative Bulletins as soon as possible as no one knows when the next big earthquake will be.

Mr. Hui stated that no document will be perfect, but said that the Department needs to implement something to help the public and DBI employees perform post earthquake duties.

Commissioner Walker made a motion, seconded by Commissioner Lee to continue this item to the next meeting of the BIC. The motion carried unanimously.

RESOLUTION NO. BIC 020-12

13. Director's Report.

a. Update on DBI's finances.

Deputy Director Pamela Levin gave a very brief report with the following highlights relating to finances:

- Overall DBI continues to do well.
- Apartment License Fee and rental fees will be coming in at the beginning of April.
- 84% of charges for service have come in even though on 67% of the year has gone by.
- Money that is due from the Central Subway Project is going to be delayed until August.
- The majority of DBI's expenses are related to personnel; DBI had 20 positions approved last Friday.
- Some of those positions have been tested for, but DBI is waiting for the results.
- Some of those positions have NOT been tested for, so the Department will have to move through a process to hire people.
- The Mayor's Office has recognized that DBI needs to have these vital positions to provide service to its customers.
- Other Departments are slow in providing DBI with the bills for services of those departments, particularly the City Attorney's Office and Real Estate.
- The finances show that the Department continues to show a slow recovery.

Commissioner Mar asked if with the delay of testing and trying to hire new employees could the Department hire Prop F, retired employees, in the meantime. Ms. Levin explained that the process of hiring Prop F employees still has to go through the Mayor's Office and said that DBI had gotten approval for two positions. Ms. Levin said that it is an uphill battle to hire both regular positions and Prop F positions. Ms. Levin stated that with Prop F positions the Department has to show how an individual is really going to improve the organization as compared to go into a real recruitment process. Ms. Levin said that the Department is trying to get as many positions as possible filled so that the Department can move forward.

Commissioner Walker said that there has been a great deal of talk about Code Enforcement and asked if any of the new positions would be filled for that division. Ms. Levin said that she believed that three of the positions that have been approved would be for Code Enforcement.

b. Update on proposed legislation.

Mr. Bill Strawn DBI's Public Affairs and Legislative Manager said that he had given the Commissioners a summary of the different pieces of legislation that DBI is monitoring at the moment and spoke on the following items:

- ✓ Pubic Arts Trust Fund is back on a renotification period and will probably be back early next month.
- ✓ Bicycle parking in existing Commercial Buildings introduced by Supervisor Avalos. DBI would only get involved in this issue if the Department of the Environment asks DBI to verify that there might be a public safety hazard around where the bicycles were being parked or stored.
- ✓ Waiver of fees for small businesses for the replacement of awnings which was discussed earlier in the meeting.
- ✓ Legislation introduced by Supervisor Wiener that the Commission just agreed to continue; it deals with the definition of efficiency units and will be back before the Commission in April or May.

Mr. Strawn said that he had included references to Legislation in the State that are affecting Building Codes and might affect DBI in the long term.

Commissioner Walker asked about AB-184 and how it would affect DBI's local Seismic Safety strengthening efforts. Mr. Strawn said that he had not received any details as to how that financing might affect DBI, but said that he would try to find more information on the issue.

Commissioner Lee asked about AB-801 regarding uniforms for Code Enforcement Officers. Mr. Strawn said that he has been waiting for a response from CALBO and said that he would be happy to look into that issue as well.

Director Day said that there is a Code Enforcement department in the State of California that has been very effective with having their Code Enforcement staff wear uniforms and having their Code Enforcement staff complete certified training just as the Building, Electrical, Plumbing and Mechanical Inspectors do. Director Day stated that these Code Enforcement Officers complete a "Post-832" training which is a slight degree of police training where they are shown how to approach customers that are unwilling to be approached or how to approach a house, even to knock on the door as a Code Enforcement Officer. Director Day said that CALBO opposes these requirements as right now most building departments do not have enough money for their Code Enforcement Officers, let alone for uniforms and this type of training. Director Day said that it will be interesting to what how this issue shakes out.

c. Update on Permit Tracking System.

Ms. Penny Venable of DBI said that the Commissioners had received a handout regarding the update of the Permit Tracking System. Ms. Venable reported that 25% of this 24-month project is done and that everything so far has been successful. Ms. Venable stated that DBI has been working with Planning on an almost daily basis to walk through requirements for this system. Ms. Venable said that Accela/21Tech, the vendor, has been documenting all of the meetings and in March created prototype systems for some of the documents that have been configured. Ms. Venable stated that the Department is currently in the process of enterprise analysis and that is due

this month so everything is on schedule. Ms. Venable said that the vendor continues with the configuration analysis documents and has been turning over a number of documents to DBI for review and sign-off; that process is being staggered and all sign-offs are due April 13th. Ms. Venable reported that the historical data analysis was started early and the next steps are to complete the enterprise configuration analysis sessions and begin the core system configuration and integration. Ms. Venable said that DBI will soon form a subcommittee with Planning to start getting feedback on how the customers would like the citizen access to look.

President McCarthy said that there is still a long way to go and said that the Commission are anxious to see this system in full operation.

d. Update on major projects.

Deputy Director Tom Hui said that the Commissioners had a report in front of them showing a few billion dollars in construction costs with roughly 5,000 units to be added in the City. Mr. Hui said that there are roughly 100 projects that would be considered “major”, but said that 90% of them are going through the counter. Mr. Hui said that the Department needs more staff for plan checking and eventually for inspectors out in the field. Mr. Hui stated that he looked back over the last six years before the economic crisis and said that DBI has laid off roughly 30% of its staff so now with business picking up more staff is needed..

President McCarthy said that it looks like DBI has a couple of busy years ahead if all holds well and asked if this was much of a jump from last year. Mr. Hui said that there is about a 50% increase and that some projects might be coming back because there were on hold for different reasons. President McCarthy said that hopefully the banks will fund these projects now.

e. Update on Q-Matic and status of activation.

Director Day said that all staff has been trained on the Q-Matic system and some tweaks have been made. Director Day said that Deputy Director Hui has been working with Hemma, DBI’s IT Manager, to go back to the vendor to make it easier for the customers and to include an express line for permits with no plans. Director Day stated that DBI has now trained the Fire Department, the Planning Department, BSM, PUC, and any other department that is present on the fifth floor to use the Q-Matic System. Director Day said that she would be going to the first floor next month to walk a customer through the system; staff is set up that will be testing and monitoring this to see if there is any way to make it more efficient before it is fully implemented.

f. Update on other technology projects.

Deputy Director Pamela Levin gave an update on other technology projects going on at DBI. The following projects were discussed:

- ❖ More updates to the Department’s website.
- ❖ User Beta testing for the public to make 3R requests online.

- ❖ Getting an IT equipment room in the Department that will include Planning and the Human Services agencies; generator capacity is an issue that should be worked out by the end of this week. DBI is working with DPW to determine the scope of the project and the cost.
- ❖ Cash Management system is going to be implemented around the beginning to mid-May.
- ❖ DBI will be expanding from eight cash registers to 40 cash registers making it much more convenient for customers.
- ❖ The Cash Management System is designed to work with the current permit tracking system and will work with the new system when it is fully implemented.
- ❖ DBI continues to work with the Assessor's Office and DPW in terms of an Enterprise Addressing System.
- ❖ The PUC continues to put together Ordinances having to do with everything from irrigation, to waste water, to storm water compliance, to landscape ordinances and DBI has to deal with those issues.

g. Update on new hires.

Director Day said that since the last meeting the Department has been able to hire one new IT person who has been directly responsible for the training of Q-Matic.

Director Day stated that an Inspector participated at the Mayor's kickoff community coffee event on March 2nd and said that she would be participating in a series of Town Hall Community Engagements with the Mayor and District Supervisors at the end of the month through April on the budget. Ms. Day reported the DBI has begun a series of Code updates to keep the customers fully informed on any changes and these are being put on the web; they are not Code rulings, but are information on Code items. Ms. Day said that along with May being Small Business Month it will also be Building Safety month. Ms. Day said that finally, DBI is distributing survival kits to all DBI staff to be used in case of any emergency. Ms. Day said that she would bring one of the survival kits to the next DBI meeting for the Commissioners to see.

There was no public comment on the Director's report.

14. 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.**

Commissioner Walker asked if there could be an item on the next agenda regarding Code Enforcement in response to members of the public in the Bayview and in District 11; specifically regarding the blighted property ordinance and an update about how DBI is managing that.

Commissioner Melgar said that she would like to add to that request and asked that the Director do a presentation on what the Department is doing with the backlog and current complaints; the relationship with the Code Enforcement Division and the City Attorney; how cases get prioritized;

how much money the Department pays the City Attorney; how much of that is collected in fees and what the Department's strategy is for collecting those fees and pursuing those cases. Commissioner Melgar stated that she does not understand the process and would like a discussion by the Commission about the policy of what goes to Code Enforcement, to the City Attorney for Enforcement and what strategy is used to get the money back.

Director Day said that this could probably be agendaized for the May meeting. Commissioner Walker asked if next month the Commission could get a response to those specific bundles of Code Enforcement problems. Director Day stated that she could get a status of where the problems are in the system and how they are being handled. Commissioner Walker said that in May a formal presentation could be done and said that it would be timely as there is an open spot on the Litigation Committee.

Secretary Harris said that at the next meeting there would be an item to fill spots on both the Litigation Committee and the Nomination Committee.

Vice-President Mar said that he would like to see a chart on repeat offenders. Director Day said that she would put it on a spreadsheet so it can be sorted by a property owner name.

Secretary Harris announced that the next meeting would be held on April 18, 2012. There was no further discussion or public comment on this item.

15. Review and approval of the minutes of the Regular Meeting of September 21, 2011.

Commissioner Walker made a motion, seconded by Commissioner Clinch that the minutes be approved. The motion carried unanimously.

RESOLUTION NO. BIC 021-12

Commissioner Walker said that she appreciated that the Secretary was trying to catch up on the minutes.

16. Adjournment.

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

RESOLUTION NO. BIC 022-12

The meeting was adjourned at 1:03 p.m.

Respectfully submitted,

Ann Marie Aherne
Commission Secretary - Retired

SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS	
Future update on legislation regarding success of no permit fees for replaced awnings. – President McCarthy	Page 5
Presentation of DBI’s employee survival kit to Commission. – Director Day	Page 21
Update on Code Enforcement regarding the blighted property ordinance. – Commissioner Walker	Page 22
Presentation on DBI’s policy of what goes to Code Enforcement, to the City Attorney and what strategy is used to get the money back. – Commissioner Melgar	Page 22
Agenda item to make appointments to the Litigation and Nominations Committees of the BIC. – Secretary Harris	Page 22
Spread sheet showing repeat offenders of NOV’s. – Vice-President Mar	Page 22
Item #12 was continued.	