



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

**REGULAR MEETING**

**Wednesday, March 20, 2013 at 9:32 a.m.**

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

**Aired Live on SFGTV Channel 78**

**ADOPTED May 15, 2013**

**MINUTES**

The regular meeting of the Building Inspection Commission was called to order at 10:04 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, excused**  
Frank Lee, **Commissioner**  
James McCray, Jr. **Commissioner**  
Debra Walker, **Commissioner**  
Sonya Harris, **Secretary**

Warren Mar, **Vice-President**  
Kevin Clinch, **Commissioner, excused**  
Myrna Melgar, **Commissioner, excused**

**D.B.I. REPRESENTATIVES:**

Tom Hui, **Acting Director, excused**  
Edward Sweeney, **Acting Deputy Director, Permit Services**  
Pamela Levin, **Deputy Director, Administrative Services**  
William Strawn, **Communications Manager**  
Hema Nekkanti, **IS Project Director**

**CITY ATTORNEY REPRESENTATIVE**

John Malamut, **Deputy City Attorney**

**Vice-President Mar chaired the meeting as President McCarthy was excused.**

**2. President's Announcements.**

Vice-President Mar announced that President McCarthy was in Ireland with his family to celebrate St. Patrick's day and wished them a speedy and safe return. Vice-President Mar said to begin the announcements Acting Director Tom Hui participated recently in a field inspection with the Mayor, members of the SFPUC and other City officials at 15<sup>th</sup> Avenue and Wawona where there was a water main leak that did major damage. Vice-President Mar reported that three homes had to be red tagged and several others were yellow tagged. Vice-President Mar stated that Acting Director Hui, the Mayor and other City agencies met with the community and DBI explained what would be done to help expedite permits in order to complete the necessary repairs. Vice-President Mar said that the SFPUC was going to open a storefront on West Portal to respond to neighbors and to provide updates; Building Inspector Mark Walls will be DBI's designated representative to

the community.

Vice-President Mar said special thanks were due Building Inspector Tom Fessler for his participation at a town hall meeting sponsored by Supervisor Mar and held at the Richmond Library regarding accessibility compliance for small businesses. Vice-President Mar said that this meeting was held to educate small business owners on how to minimize or avoid drive by law suits. Vice-President Mar also thanked Evelyn Karcs and Vivian Huang of Plan Review who each received letters of appreciation from the public for going above and beyond their duties.

Vice-President Mar mentioned a new employee recognition program that will be discussed later on in the agenda and announced that DBI has been working with a *Chronicle* reporter regarding an upcoming article regarding an increase in the amount of permits issued at DBI and how this is a sign of an improved economy in San Francisco.

There was no public comment on this item.

**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. Discussion and possible action to elect BIC officers.**

- a. Waiver of BIC rules to hold BIC officer election on a different date.
- b. Election of President.
- c. Election of Vice-President.

Vice-President Mar explained that the Commission wanted to waive the rules as there were so many Commissioners missing from this meeting.

*Commissioner Walker made a motion, seconded by Commissioner Lee, that the rules be waived and that elections be held at the next BIC meeting to accommodate the absent Commissioners. The motion carried unanimously.*

**RESOLUTION NO. BIC 013-13**

**5. Discussion of MOU between DBI and the San Francisco Housing Authority and the Housing Tenant Complaint Report process.**

Vice-President Mar said that he had requested this item and said that DBI has a MOU with the Housing Authority whereby DBI does inspections of these properties when complaints come in. Vice-President Mar said he wanted to know how many NOV's had been written and how many had been abated; he called on Chief Housing Inspector Rosemary Bosque to give a report.

Chief Housing Inspector Rosemary Bosque presented a table titled "DBI/SFHA MOU CASE TRACKING TABLE" and said that this table included 195 complaints from 2007 to date; however, it included only those complaints received by DBI and did not include complaints that go thru 311 or to the Housing Authority itself. The table included the: Date Received, Property

Address, Apt. No., Block, Lot, Complaint #, District, Complaint Type, Date NOV was issued, Date Abated/Closed, the Type of Complaint, Comments and Time Spent to Date by Inspector and Clerks.

Ms. Bosque said that the report shows that DBI has spent about 153 Inspector hours and 50 hours of clerical time in implementing the MOU on the DBI end of things. Commissioner Walker asked if DBI receives any information on the complaints made directly to the Housing Authority or through 311. Ms. Bosque answered that DBI does not get involved with these complaints just as it is with any other constituent; the MOU does not include routine visits or anything like that. Commissioner Walker asked about when a tenant is relocated due to a problem if DBI follows up to make sure that problem has been corrected. Ms. Bosque stated that DBI will not abate the complaint until the Housing Authority has informed the Department that the problem has been solved and said that the follow-up sometimes depends on how serious the problem is.

Commissioner Mar asked how the Department abates a complaint. Ms. Bosque said that if it is a life safety case an Inspector is sent out to see if the work has been done; if not, the Housing Authority gives DBI an action plan and DBI will follow-up with the tenant. Commissioner Mar stated that the Mayor has indicated that there will be changes made at the S.F. Housing Authority and said that the Department might need to anticipate that staff hours will increase.

Commissioner Walker asked Ms. Short from the Housing Rights Committee (HRC) to say a few words. Commissioner Walker explained that DBI contracts with several community organizations that do outreach to all of these different tenant communities.

Ms. Sara Short of HRC said that her organization serves residents of public housing for all parts of San Francisco that come to them with complaints. Ms. Short stated that these tenants are concerned about response and getting the complaints fixed and said that it was time to reevaluate the MOU and take a closer look to tweaks that could be made to strengthen it. Ms. Short said that now was a good time as the Mayor is trying to bring the Housing Authority into the City family more and trying to open up better channels of communication. Ms. Short said that there are problems with the aging building structures and deferred maintenance that have led to a lot of repair needs for these tenants. Ms. Short stated she thought that the number of complaints shown as received by DBI are probably underreported and said that a lot of times tenants do not know where to report their complaints; at one time they were told to make complaints to 311 and now 311 personnel are telling the tenants to call property management. Ms. Short taking a look at the MOU which has been in place for some five years would help to streamline the process so that tenants are aware about where to make complaints and also about follow-up with DBI. Ms. Short said that at one time there was a repair crew where people called directly to report repairs, but that no longer exists at the Housing Authority so a lot has changed and it might be a good time to review the MOU to give it more teeth. Commissioner Walker said that she agreed that it was time to look at the MOU again and said that it would be good to make sure that the complaints are kept track of all in one place.

Commissioner Lee said that he thought it would be a good idea to let the Housing Authority Commission to take the first lead and that DBI staff could help, but said it was really up to that Commission to decide what they want from DBI. Commissioner Walker asked that Acting Director Tom Hui speak with the Housing Authority to ask their Commission to agendize the issue

of the MOU and have this same kind of conversation.

Vice-President Mar thanked Ms. Bosque and Ms. Short for their comments. Vice-President Mar said that it would be good to have a better understanding of exactly how many complaints are received and have a centralized location to capture all of them. Commissioner Walker asked that Ms. Bosque give the Commissioners a copy of the MOU so that they could make recommendations to the Housing Authority Commission. Ms. Bosque said that she would do so and stated that DBI will continue to meet with other stakeholders to improve the coordination of the complaints received and will pass information onto the Housing Authority and its Commission as needed.

Ms. Suzanne Tucker with the Civil Grand Jury said that she had three questions; 1) How is a life safety issue determined?(Example, a toilet that does not work for a month); 2. Is the Housing Authority subject to some kind of annual inspection? And 3) The MOU calls for the DBI Director and the Housing Authority Director to have a meeting once a year and what happened at the last meeting?

Secretary Harris said that staff would get back to Ms. Tucker with a response.

Commissioner Walker said that it is her understanding that routine inspections are not part of the MOU. Ms. Bosque said that is correct. Commissioner Walker said the reason is that HUD and the Housing Authority have Federal inspection authority over their projects. Ms. Bosque said that it is the opinion of the City Attorney that the Housing Code still has to be complied with and the Housing Authority can be subject to routine inspections, but it was the policy of the previous Director not to do them because of staffing issues and the fact that there was no funding for that mandate at the time DBI had very low staffing levels.

Ms. Bosque said that a clogged toilet was not a good example of a life safety hazard because usually that is a complaint that is handled quickly and is not a problem. Ms. Bosque said that lack of heat is more problematic. Commissioner Walker asked if DBI had more authority in these buildings if there is a life safety hazard. Ms. Bosque explained that under the MOU the Department would issue a Notice of Violation (NOV) and if they do not comply the Department would have to sue them.

There was no further public comment.

## **6. Update on Notices of Violation (NOV's) and process.**

Chief Housing Inspector Rosemary Bosque said that the last time this item was reported on was in October of last year. Ms. Bosque reported at that time the number of open HIS cases from January 1995 through March 28, 2011 was 3,359 and today that number for the same period has dropped down to 2,197 and from March of 2011 to present there are 1,845 additional cases that are still open for a total of 4,042 open cases. Ms. Bosque stated that in a 24-month period about 10,000 new complaints have come in and Housing has been able to go back and look at this backlog and still not create a significant backlog on the cases that are coming in. Ms. Bosque talked about staffing shortages and said that the Housing Inspectors have still managed to send cases to Director's hearings, continued billing and address open cases on a weekly or bi-weekly basis to

keep down the inventory. Ms. Bosque said that HIS is also looking at the inventory by how many properties have three or more open Code Enforcement cases that are of housing origin to see whether or not those cases should be referred to the litigation committee. Ms. Bosque said that HIS is constantly making staff adjustments to deal with the open inventory, new incoming complaints, City enforcement task force inspection, City attorney referrals, and seasonal issues having to do with the raining season which include heat and leaky roof complaints. Ms. Bosque said that at least six of the 16 field inspectors are doubled up and dealing with more than one district. Commissioner Walker asked if these figures were just for the Housing Division. Ms. Bosque said that was correct and said that the Deputy Director would be talking about the Code Enforcement Division. Commissioner Walker asked if there was any talk about adding individuals to the Housing Division or to Code Enforcement to help with this backlog. Ms. Bosque said that the 6270 Housing Inspector announcement went out two or three weeks ago and closed last Friday so the Department is now in the process of attempting to fill vacancies with a minimum of at least 7 inspectors.

Vice-President Mar said that even though the complaints start in Housing the cases sometimes move over to Code Enforcement and involve the Building Inspectors because a permit is needed to make the repairs. Chief Housing Inspector Bosque said that the Code Enforcement process is very different from cases that originate in Housing because of the specialization of the Housing cases and the experience of the division in dealing with those cases from beginning to end for consistency.

Deputy Director Daniel Lowrey said that NOV's are official citations to document conditions in situations that do not comply with the San Francisco Building, Plumbing, Electrical, Mechanical and Housing Codes. Mr. Lowrey referred to a report on the graphics machine and said that in the Building Inspection Division there were 332 NOV's for the year 2012; these were actual notices and not the number of complaints received. Mr. Lowrey stated that 181 2<sup>nd</sup> NOV's were issued in 2012 and said that the number of first NOV's issued between January and March 2012 is 195 and the number of second NOV referred to Code Enforcement is 19. Mr. Lowrey stated that these are the actual NOV's and what happens on some of these violations is that permits are required, so if that is the case the Department works with individuals to give them more time to obtain a permit or obtain an architect. Mr. Lowrey said that if compliance is not responded to in a reasonable amount of time, a 2<sup>nd</sup> NOV is issued; sometimes with the open NOV's plans are filed with the Planning Department and are not approved yet or the permits are issued with these to obtain compliance that are not yet final so DBI keeps the NOV's open until full compliance is met.

Commissioner Walker said that the Commission was trying to get a better picture of the backlog in Code Enforcement or Building. Mr. Lowrey stated that he did not have those numbers, but said that the Department has increased the number of Inspectors and more Inspectors will be working with the Code Enforcement Division to help reduce the backlog. Mr. Lowrey explained that it is very hard to pinpoint just how many NOV's are open as it would have to be done on a case by case basis with each Inspector, but Mr. Lowrey said that 60 – 70% of the recipients of these NOV's are trying to comply with the Department's requests. Mr. Lowrey stated that the Department works with the customer to try and make them compliant as sometimes the customer needs more time from Planning or to work with an Architect. Commissioner Walker asked if there was anything in the Building Code that would help to move some of these customers forward to comply with the NOV's as sometimes the cases that come before the Abatement Appeals Board have been ongoing

for some seven years. Mr. Lowrey said that the Department has been proactive in dealing with the older violations and complaints and are relooking at those as some have to be revisited. Commissioner Walker said that the Commissioners have been talking about allowing for more Abatement Appeal's meetings and would encourage more Directors' Hearings to really support the staff on these issues. Mr. Lowrey said that last year DBI doubled the Code Enforcement Director's Hearings and added a second date for hearings on these cases. Mr. Lowrey stated that DBI is having the Senior Inspectors monitor the time that individual Inspectors spend on these NOV's.

Vice-President Mar asked if there were serial violators, bad actors who continue to have NOV's. Chief Housing Inspector Rosemary Bosque said that there have been several such cases and mentioned an SRO, the Grand Southern, that had numerous and continuous violations and said that these cases are turned over to the City Attorney's Office for Litigation. Ms. Bosque said that there may be many open cases where the customer is cooperating with the Department and these cases are not yet ripe for referral to the CAO.

Commissioner Lee asked if there was some sort of formula for how long someone is given to correct a NOV. Deputy Director Lowrey said that it is the District Inspector that issues the NOV and he might allow 30 or 60 days depending on the work to be done, but many times a property owner has to have plans and then it gets held up in Planning. Mr. Lowrey stated that the most common delay is the hold up in Planning and this can be for a long time and as long as DBI is seeing that the property owner is trying to comply that NOV stays open; if not a second NOV is issued.

Commissioner Walker asked what happens when a permit expires. Deputy Director Lowrey said that usually a second NOV is issued for an expired permit. Vice-President Mar said that this report was very helpful and said that this issue will be revisited from time to time to keep on top of this as the Department wants to make sure that the property owners are complying with these NOV's.

Secretary Harris called for public comment.

Mr. Robert Davis thanked the Commission for putting this item on the agenda and said that perhaps Ms. Bosque and Inspector Lowrey could come up with some suggestions about what to do to make the system better. Mr. Davis recommended skipping the Second NOV completely. Mr. Davis said that many NOV's are still showing "open" even though a permit has been issued and closed and said that this was just sloppy paperwork. Mr. Davis mentioned the James Blanding case that was given over to the City Attorney's Office and resulted in some \$800,000 going to the City for over 100 NOV's. Mr. Davis suggested that the Department not give out any permits to a property owner that has any NOV against them and said this was just common sense. Mr. Davis said there are actually 6,000 NOV's since the year 2000 and said that DBI closed out many of the NOV's from the year 1994 to 2000, but said that these are still lingering as there is not enough emphasis on this problem.

Ms. Suzanne Tucker with the Civil Grand Jury said that she was bringing an issue to the attention of the BIC that could affect the Department. Ms. Tucker stated that the Board of Supervisors is planning legislation that will require homeowners of soft story residences to retrofit them for earthquakes with a particular emphasis on residential units of five or more. Ms. Tucker said that

this is very serious as there will be people who will not comply, and asked if there has been any thought given to how the Department would handle a large number of non-compliers.

There was no further public comment.

**7. Discussion and possible action to consider a proposed revision to Administrative Bulletin AB-028, *Pre-application and Pre-addendum Plan Review Procedures.***

Kirk Means of the Technical Services Division explained that AB-028 has been around for at least a decade and it allows a design professional who has a conceptual idea of a project to pay for a meeting with a Supervisor or Manager to discuss a list of options and to settle on a design process to avoid delays during the permitting process. Mr. Means said that the design professional sits down with an Engineer and a Supervisor and goes through any issues ahead of time and the outcome of the meeting is that a letter is issued by the Manager that the applicant attaches to the plans with the decisions made at that meeting; these issues no longer have to be reviewed by the Plan Checker. Mr. Means stated sometimes that Plan Reviewer would not agree with the outcome of that meeting and that would cause a major problem because the client is committed to a particular design based on that letter. Mr. Means stated that another problem can occur when the Field Inspector goes out the job and does not agree with the letter which is an even bigger problem because the project is already built. Mr. Means said that the new language in AB-028 would not allow these complications and the Plan Reviewer and Inspector would have to go along with what was decided in the pre-application meeting. Mr. Means said that there was some question as to how long the decision made at the pre-application meeting would remain valid and stated that there is new language that says that as long as the code provisions affecting the application letter have not changed, then the pre-app remains valid.

Mr. Means said that the last change is related to fees as the pre-addendum meetings are very complicated as a site permit has been issued and the project has gone through Planning. Mr. Means said that these are highly technical meeting where concepts, solutions and equivalencies are discussed so it takes a Manager or a Senior Staff person with a lot of expertise to be able to attend these meetings to come up with solutions to make these projects work; this is way beyond what the normal Plan Checkers would do. Mr. Means said that at the present time DBI has two full time senior staff members going to meeting after meeting generating these letters so the Department needs to charge for their time.

Commissioner Lee asked how long it takes for a project sponsor to get the pre-application meeting. Mr. Kirk Means said that it is usually within 10 days and said that the scheduling of the meetings has not been a problem. Acting Director Tom Hui stated that most of the time the project sponsor meets with DBI and Fire and sometimes Health, but said that all of the parties needed are present at the meeting. Mr. Hui said that highly qualified people are needed in these meetings as the problems are very technical and the Department has to research all the code issues. Mr. Hui stated that there are a number of very large projects involved so the meetings are timely. Commissioner Lee asked how many of these come in every day. Mr. Hui stated that there are 5 – 6 or more everyday and this keeps two Prop F people working full time along with senior staff when needed.

Assistant Deputy Chief and Fire Marshall Tom Harvey said that he wanted to thank Director Hui's staff and Kirk with the Technical Services Division as the Department has reached out to the Fire

Department on this issue. Mr. Harvey said that this is one of the best bargains that a design can have as it helps to expedite the process and stated that it is not just for code interpretations, but most of the time it has to do with alternate methods. Mr. Harvey said that many times the designer either chooses not to or cannot meet the prescriptive requirements of the code so this puts everybody together into one room; these are high level supervisors with the fire protection engineer in most of these meetings because of the degree of technicality. Mr. Harvey said that the Fire Department charges for the pre-application and the pre-addendum meetings because of the expertise and the time involved and because many times there are changes between the two meetings that have to be addressed. Mr. Harvey stated that if fees were not charged there would be people in everyday with more and more meetings. Mr. Harvey said that he believed there were probably a thousand pre-application meetings per year and fire joins with building, sends a letter out and expects the Plan Reviewers and Field Personnel to follow the agreement because the decisions are made by highly qualified Supervisors.

Commissioner Walker said that she had concerns about when the Field Inspector has an issue with something and is mandated to follow the approval. Commissioner Walker asked if there was some kind of process if the Field Inspector finds something and there is a conflict. Mr. Harvey said that the Building Department's process is very similar to Fire's and said that if the project meets the general intent of the letter, the Field Inspector would follow through, approve the project and move it as expeditiously as possible. Mr. Harvey said that if there is a major change in their opinion then maybe the project is not meeting what the intent of that letter or agreement was and then the Field Inspector would inform the contractor that the project is not meeting the requirements of the Code in their opinion, nor the letter of agreement from the pre-application, pre-addendum meeting and then the project sponsor would have to work their way through the chain of command for an appeal. Mr. Harvey said that things change constantly out in the field and it is only when things go way out of line that the appeal process kicks in. Mr. Harvey said that the Director's decisions are final, not the Field Inspector.

Deputy Director Sweeney said that DBI does operate as the Fire Department does, however, DBI encourages Field Inspection staff to go to their Senior and then the Senior goes to the Plan Check Senior to talk out the problem. Mr. Sweeney said that then the information gets back down to the District Inspector and generally issues get resolved fairly quickly.

Commissioner Mar said that a lot of projects are approved over the counter and asked again about what happens if a Field Inspector goes out and finds that a permit has been stamped and approved and he does not believe that it is up to code. Acting Director Tom Hui said that in these pre-application, pre-addendum meetings information sheets are sent out on the projects to staff and most of the time the Inspectors know about small and large jobs and they agree; if they don't agree, they come back to discuss the problem with the Senior and then the Senior will go to the individual Plan Checker to resolve any issues. Assistant Deputy Chief and Fire Marshall Tom Harvey said he thought that the issue was being overcomplicated a little because so much time is spent prior to issuance of the permit and work beginning that 99.9% of the time there is no disagreement. Mr. Harvey said that if the Plan Reviewer or the Inspector find something the contractors or designer just fix the problem.

Vice-President Mar thanked the Fire Marshall for coming to the meeting today and for helping to explain this complex issue.



There was no public comment.

*Commissioner McCray made a motion, seconded by Commissioner Walker, that the changes to AB-028 be approved. The motion carried unanimously.*

**RESOLUTION NO. BIC 014-13**

**8. Update on the process to acknowledge an Employee of the Quarter.**

Mr. Bill Strawn stated that DBI has a new employee recognition program with a committee of five people. To date he has received about three nomination applications for this first Employee of the Quarter (EOQ). Mr. Strawn said the overview of the program is to choose one employee for each quarter to be recognized for their outstanding work performance. Nominations are due next week so he will send out another reminder to staff, and then the committee will meet again at the end of the month to choose an EOQ in early April.

Commissioner Mar said he thought this program was a good idea because they wanted to do something for the employees, since there has been an incredible increase in workload. Also there are a lot of new employees so the committee thought it would be a good idea to have an opportunity for follow-up employees to elect their peers. Commissioner Mar stated that the committee includes him, President McCarthy, a retired Prop-F employee, and a Human Resources representative so their goal is to make sure that the employees are acknowledged publicly. Commissioner Mar also gave special thanks to Commissioner Lee – who in his capacity with the Department of Public Works – has helped with modeling this program along with folks from the Controller’s Office and DHR.

Commissioner Lee said it is very important that the Commission recognize the good work of DBI employees, as too many times people give attention to what the problems are in the Department, so this is an opportunity to show what staff is doing right, and which employees are doing excellent work. Commissioner Lee stated once an Employee of the Quarter is selected, he would like the committee to come and explain why the person deserved it and how that came about.

There was no public comment.

**9. Director’s Report.**

**a. Update on DBI’s finances.**

Deputy Director of Administrative Services, Pamela Levin, said that she wanted to discuss where the Department is with expenditures and revenue, and also talk about the positions that have been hired. DBI continues to receive more revenue than in prior years, and staff expects to finish the year with about \$13M in revenue and expense savings. There is \$11M in additional revenue in the budget, savings of \$2M in expenditures, and the \$11M is primarily charges for service which started last year. Ms. Levin referred to a graph which showed that DBI has more revenue this fiscal year than last year with an increase of about 24%. In terms of expenditures, DBI continues to track less than the budget and this is primarily in the area of personnel. DBI has hired 10 new

positions: 2 promotions, 2 Proposition F and 7 Housing Inspectors are starting around April 1<sup>st</sup>. The next recruitment will consist of Electrical Inspectors. Ms. Levin said that staff is working on hiring Housing Inspectors and once they take the test, then interviews will take place around July.

There was no public comment.

**b. Update on proposed legislation.**

Mr. Bill Strawn of Legislative and Public Affairs stated that the mandatory retrofit legislation was referenced earlier, and last week the Mayor sent over substitute legislation that cleaned up a couple of items. Supervisor Breed had an addition of wanting to do more community outreach by the Mayor's Director of Earthquake Safety about this program, so people are better informed about it. There was also an additional Code Advisory Committee recommendation to look at two-story buildings rather than just the initial inventory of three or more stories, five or more units. The head of Technical Services at DBI, David Leong, and Acting Director Hui talked about the changes with Patrick Otellini, the Mayor's Earthquake Safety Officer. There was an informational hearing at the Land Use Committee and a number of issues were raised, and some tenants had concerns about how this program may or may not affect rent control units. However, the majority of the testimony was extremely supportive and will be forwarded to the Board of Supervisors.

Commissioner Walker asked what amendments were made by the Mayor's Office? Mr. Strawn said they were not really amendments but refinements in the legislation, so a substitute measure was reintroduced at the Board. He reiterated that the items were Supervisor Breed's wanting to do community outreach and expanding the inventory base of notification. Commissioner Walker asked if expanding the base was going to slow the process down? Acting Director Hui said that it would definitely increase the number of buildings on DBI's list because there was a change from three stories to two stories plus a basement, so that means DBI staff needs to take time to determine the definition of a basement. Commissioner Walker stated that the mandatory seismic program has already gone through the structural engineers' group to get the proposed fixes on the three-story, so she is just concerned that adding a two-story would change the prescriptive solution such that it would delay the process. Mr. Hui said his concern is how many buildings are involved and DBI may need to get more staff. Mr. Strawn said staff would have to consult more with Mr. Otellini to see what is needed, and at some point DBI will be receiving a database notification. Commissioner Mar asked if the number of units has changed and Mr. Strawn said no it is still five or more units. Mr. Strawn mentioned that the Development Impact Fee Deferral Program sunsets as of July 1<sup>st</sup> of this year, and currently DBI has a collection unit that Pamela Levin manages. The Planning Commission is required to hold a hearing sometime in April to look at how the deferral program has been working and whether or not it is going to be extended or not. He also received a new item from Supervisor Tang to observe Small Business Week during the month of May and asked that DBI waive any permit fees for awning replacement façade improvements.

There was no public comment.

**c. Update on Permit Tracking System.**

Ms. Hema Nekkanti, I.S. Project Director, stated that staff is actually wrapping up the Permit and Project Tracking System and are working on several parallel paths such as the data conversion,

console, design, and fee calculation. They are working on User Acceptance Testing and DBI staff participated actively in the test scenarios and staff is getting ready to execute them sometime in April. Ms. Nekkanti said regarding the web portal, Citizen Access side of things, there is a stakeholder meeting scheduled today at 4:00 p.m. and the presentation will be a sneak preview to the web portal and to review the data that is going to be available online, including online applications. A limited quantity of mobile devices were purchased and staff are actually beginning to enable those devices for field staff, using the current inspection scheduling system and staff is hoping to get back to the Commission in April with the results of the test. Commissioner Lee thanked Ms. Nekkanti for her presentation, but asked if she could provide supporting documents such as attendance sheets to the meeting and so on. Ms. Nekkanti said that she would get this information to the Commissioners. Vice-President Mar asked when the demonstration was going to be? Ms. Nekkanti said the public demonstration would be that afternoon at 4:00 p.m., but next month there would also be a Citizen Advisory Group meeting and every quarter they have the public advisory group meetings involving the stakeholders who pull electrical and plumbing permits – Staff is going to reach out to them so that they can actively participate in testing the system because they are the users.

There was no public comment.

**d. Update on major projects.**

Acting Director Hui said the Commission received the revised major project list and the bottom line keeps on rising, \$3.8B and roughly 5,000 units. The number of cranes going up in the City is increasing and DBI is expecting ten more in the next few months.

There was no public comment.

**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.**

Commissioner Walker stated that it would be good to have an overview of how the fifth floor process and flow of work is going, since we no longer have Q-Matic.

Vice-President Mar said that he wanted to agendize the item of staff assignments of larger projects vs. over-the-counter work.

Commissioner Walker asked for an update on the Director Search.

**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 stated that the next regular meeting of the Building Inspection Commission would be on April 17, 2013.

Vice-President Mar said that it might be a good idea to hold a Special Abatement Appeals Board meeting to move things out of the Notice of Violation (NOV) pile. He also mentioned that it would give staff plenty of time to prepare for the meeting and notice it, in addition all of the appellants and interested parties could be notified so that they could show up to the meeting.

Secretary Harris called for public comment.

Mr. Robert Davis asked the Commission to put open Director's Hearings on the next agenda. Mr. Davis said since the year 2000 there have been over 1,500 open Director's Hearings, and there are over 750 that have had a hearing but the results are in favor of the Board or of the City. He said they have never been pushed on, and they are supposed to go to the Litigation Committee or to the full Commission.

Commissioner Walker said in response to the public comment perhaps the Commission could agendize the item of open Director's Hearings when they are talking about the Abatement Appeals Board process or Notice of Violation process.

10. Review and approval of the minutes of the Regular Meeting of December 19, 2012.

*Commissioner McCray made a motion, seconded by Commissioner Lee to approve the minutes of the Regular Meeting of December 19, 2012. The motion carried unanimously.*

There was no public comment.

#### **RESOLUTION NO. BIC 015-13**

11. Review and approval of the minutes of the Regular Meeting of January 16, 2013.

*Commissioner Walker made a motion, seconded by Commissioner McCray to approve the minutes of the Regular meeting of January 16, 2013. The motion carried unanimously.*

There was no public comment.

#### **RESOLUTION NO. BIC 016-13**

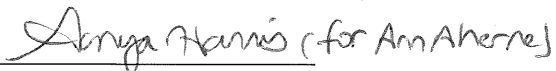
12. Adjournment.

*Vice-President Mar made a motion, seconded by Commissioner Walker, that the meeting be adjourned. The motion carried unanimously.*

#### **RESOLUTION NO. BIC 017-13**

The meeting was adjourned at 11:37 a.m.

Respectfully submitted,

 (for Ann Aherne)

**Ann Aherne**  
**Commission Secretary (Retired)**

<b>SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS</b>	
I.S. Project Manager will give an update on how the mobile devices worked with the field inspection staff. – Nekkanti	Page 11
Overview of the fifth floor process and flow of work, since DBI no longer has Q-Matic. – Walker	Page 11
Agendize the item of staff assignments of larger projects vs. over-the-counter work. – Mar	Page 11
Update on the Director Search. – Walker	Page 11
Possibly schedule a Special Abatement Appeals Board Meeting to get things out of the NOV pile. – Mar	Page 12
Agendize reviewing open Director's Hearings and Notices of Violation. – Walker	Page 12