



**ACCESS APPEALS COMMISSION
AGENDA**

Wednesday, September 11, 2019
1:00 P.M.
City Hall
1 Dr. Carlton B. Goodlett Place, Room 416

**REGULAR MEETING
MATTERS FOR CONSIDERATION**

AGENDA:

1) CALL TO ORDER AND ROLL CALL.

2) PUBLIC COMMENT: (DISCUSSION)

3) REVIEW AND APPROVAL OF MINUTES: (DISCUSSION & POSSIBLE ACTION)
Draft of the minutes of the June 12, 2019 regular meeting of the Access Appeals Commission.

4) REVIEW OF COMMUNICATION ITEMS: (DISCUSSION)

Update on Accessible Business Entrance program outreach and report on the number and type of Category Checklist Forms submitted to the Building Department.

Status of previous appeals to the Access Appeals Commission.

5) REQUEST FOR RATIFICATION OF AN UNREASONABLE HARDSHIP AAC-19-03
(DISCUSSION & POSSIBLE ACTION)
The Department of Building Inspection granted an Unreasonable Hardship for the lack of vertical access in response to Accessible Business Entrance program Ordinance Number 51-16 at 645 Bosworth Street under Permit Application #2019080878162.

MEMBERS OF THE COMMISSION

Mr. Walter Park, Commissioner
Mr. Arnie Lerner, FAIA, CASp, President
Mr. William Scott Ellsworth, Vice-President
Mr. Kevin Birmingham, Commissioner
Ms. Alyce Brown, Commissioner

DEPARTMENT REPRESENTATIVES

Thomas Fessler, Secretary (415)575-6923
Recording Secretary Vacant

City Attorney's Office

Mr. Austin Yang (415) 554-6761

6) DISCUSSION ORDINANCE # 51-16 ACCESSIBLE BUSINESS ENTRANCE(DISCUSSION & POSSIBLE ACTION)

Discussion of the duties of the Access Appeals Commission as defined in Ordinance #51-16.
“**1105D.3 Unreasonable Hardship** The compliance unit, in consultation with the Access Appeals Commission, shall develop and publish guidelines specifying the conditions under which an Unreasonable Hardship would be approved by the Department.”

Commission Secretary to present an outline of considerations applicants can use when requesting an Unreasonable Hardship from the Access Appeals Commission.

7) COMMISSIONERS AND STAFF QUESTIONS AND COMMENTS: (DISCUSSION)

8) ADJOURNMENT: (ACTION)

Thank you,



Thomas Fessler
Senior Building Inspector
Secretary to the Access Appeals Commission

If any materials related to an item on this agenda have been distributed to the Access Appeals Commission after distribution of the agenda packet, those materials are available for public inspection at Department of Building Inspection, 1660 Mission Street, San Francisco, CA 94103, 1st floor Public Information Counter, during normal office hours.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE, TO OBTAIN A COPY OF THE SUNSHINE ORDINANCE, OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT CHRIS RUSTOM BY MAIL TO INTERIM ADMINISTRATOR, SUNSHINE TASK FORCE CITY HALL, ROOM 244, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4689. OFFICE (415) 554-7724, FAX (415) 554-7854, E-MAIL: chris.rustom@sfgov.org

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, <http://www.sfgov.org/sunshine/> and at the San Francisco Public Library.

SAN FRANCISCO LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Administrative Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.



ACCESSIBLE MEETING INFORMATION POLICY

Accessible MUNI lines service City Hall. Contact MUNI Accessible Services at (415) 923-6142 or www.sfmuni.com for detailed information. For general route information, call MUNI at (415) 673-6864.

The Commission meeting room in City Hall is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

Assistive listening devices can be made available at the meeting. To request a sign language interpreter, reader, materials in alternative formats, or to request other accommodations for a disability, please contact the **AAC Secretary, Thomas Fessler (415) 575-6923**. Requests for accommodations made at least 72 hours in advance of the meeting will help to ensure availability.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call (415) 575-6923 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such persons, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

POLICY STATEMENT OF PUBLIC HEARING OR MEETING

Pursuant to Section 67.7-1(c) of the San Francisco Administrative Code, members of the public who are unable to attend the public meeting or hearing may submit written comments regarding a calendared item to the AAC Secretary, Thomas Fessler at 1660 Mission Street 3rd floor, San Francisco, CA 94103 or at the place of the scheduled hearing before the proceedings begin. These written comments shall be made a part of the official public record and these comments will be brought to the attention of the members of the Access Appeals Commission. [Twenty copies are necessary.]

POLICY STATEMENT OF PUBLIC COMMENT

Pursuant to Section 67.16 of the San Francisco Administrative Code, each member of the public may address the Commission once for up to three minutes on any agenda item.

SUMMARY OF RULES OF EVIDENCE AND TESTIMONY

Access Appeals Commission Rules will be available at each meeting. For an advance copy, please contact Thomas Fessler at 415-575-6923.

All persons testifying in any matter on the Commission Agenda must first be sworn in by the Official Reporter.

The Director's staff representative shall make the first presentation of each appeal, followed by the appellant, each for up to seven minutes. The Director's representative and the appellant then each have three minutes for rebuttal. Any interested persons not affiliated with the principal who wishes to speak on the item may then be heard once for up to three minutes. Additional time may only be granted at the discretion of the President or Chairperson.

Acceptance of additional documentary evidence at the hearing is at the discretion of the President or Chairperson. In general, all written information pertaining to the appeal provided by the appellant shall be submitted to the Secretary nineteen days in advance of the hearing date.

If an appeal is denied by the Commission, the appellant has the right to request a rehearing if he or she may demonstrate that they have substantially new information for the Commission's consideration. A request for a rehearing must be made within ten days of the meeting date at which the appeal was denied. Such a request shall be made by letter and addressed to the Secretary of the Commission. The letter should state the reasons for the request and should present the new information. The filing fee for a rehearing request is \$100.00.

REQUESTS FOR NOTICE OF HEARINGS AND AGENDAS

If you wish to be included in the Access Appeals Commission mailing list for Notice of Hearings and Agendas, contact Thomas Fessler, Recording Secretary, at the Building Inspection Division of the Department of Building Inspection, 3rd floor, 1660 Mission St, 94103, or call 415-575-6923. The Access Appeals Commission Hearing Agendas and Minutes are also available at our web site **SFDBI.ORG**.

INFORMATION GUIDE TO THE ACCESS APPEALS PROCESS

A guide to the access appeals process is available by contacting Thomas Fessler, Recording Secretary, Access Appeals Commission, at the Disabled Access Section of the Department of Building Inspection, 3rd floor, 1660 Mission Street, San Francisco, CA 94103, or by calling 415-575-6923.