



ACCESS APPEALS COMMISSION
MINUTES *approved 9/9/2015*
Regular Meeting Wednesday, June 10, 2015

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Arnie Lerner at 1:10 P.M.

COMMISSION MEMBERS PRESENT:

Mr. Arnie Lerner, President
Mr. William Ellsworth, Vice-President
Ms. Alyce G. Brown
Mr. Walter Park

CITY REPRESENTATIVES:

Mr. Rick Halloran, Secretary
Ms. Betty Lee, Recording Secretary
Ms. Elaine Warren, Deputy City Attorney

2. PUBLIC COMMENT:

(DISCUSSION)

There was none.

3. REVIEW AND APPROVAL OF MINUTES:

(ACTION)

January 22, 2014 minutes were amended as follows:

Page 3, paragraph 3, last sentence: "Ha" changed to "He".

Page 3, paragraph 6, 2nd sentence: "Here" changed to "There".

Page 3, paragraph 8, first sentence: "gentle man" changed to "gentleman".

April 22, 2015 minutes were amended as follows:

Page 2, last paragraph, first sentence: Changed to "President Lerner asked if the Ordinance has any signage requirement to put up in store front to indicate it met the requirement of the Ordinance."

Page 3, last sentence: Changed to "Commissioner Park asked for clarification of whether ground floor in-law units were required to be accessible in existing dwellings."

Page 4, paragraph 1, last sentence: To delete "to".

President Lerner suggested to proofread for grammar.

Motion to approve the minutes as amended above. Seconded and approved.

4. REVIEW OF COMMUNICATION ITEMS:

(DISCUSSION)

California Commission on Disability Access (CCDA) is scheduled to unveil the Accessibility Checklist on June 24th, 2015 at the AAC meeting. There were two press releases, one to the small business community and a general immediate release. The press releases did not mention the AAC or the Department. No agenda has been received from the CCDA. The event is an introduction of the AAC and the CCDA. Members of the AAC, except the President, will relinquish their seats to the panel to discuss the Checklist. It is not known if Supervisor Tang will attend. The event will be televised and streamed. The reception following will be next door.

Commissioner Park questioned how San Francisco got involved. Secretary Halloran said he had a conversation with Angela Jemmott, Director of CCDA, that most things are performed in Sacramento and Los Angeles area. This resulted in Ms. Jemmott contacting SFDBI Director, Tom Hui about having the program. Bill Strawn, DBI Legislative Manager said that it gives San Francisco and our Commission publicity.

Commissioner Brown will not be able to attend.

Commissioner Park suggested notification of all interested parties. Secretary Halloran agreed that he will notify the Brown Bag list, all the participants of AB-090, as well as the Building Officials in the surrounding areas.

Commissioner Brown asked if the notification goes out to contractors and architects. Secretary Halloran said that notification is CCDA's obligation, but he can assist. President Lerner explained that the list is intended for building inspectors.

Commissioner Park asked if the Secretary had any input on the list. Secretary Halloran said "very little" and CCDA notified the Department at the last moment. The commission involved in creating the list were from small jurisdictions in Northern California. The list will be an open ended document, and welcomes input. President Lerner and Education Outreach Committee was not involved in the development.

President Lerner commented that this is the first list to be used by building inspectors. The usefulness of the list find code items, since there is no index in the code. He also reference that there is a 2013 PDF document that cross references 2010 CBC and 2013 CBC in the State Architect's website.

5. AMENDMENTS TO THE RULES OF THE COMMISSION (BYLAWS).

(ACTION)

The Commission will vote on the changes to the bylaws.

Commissioner Park had opposed moving public comment to the end of the meeting. The agenda was altered to reflect the meeting order in the bylaws, rather than to change the bylaws.

Secretary Halloran summarized the bylaws changes from requiring a court reporter to being optional. It allows for an appellant to hire their own court reporter, unless they qualify for an indigency for a free hearing and a court reporter. We will rely on the digital recordings, which can be email to anyone who requests it.

President Lerner asked how much and how often is a court reporter used. The cost of requiring a court reporter has increased 2.5 – 3 times in the last five years. Secretary Halloran said it cost \$1000 and an additional \$1500 for transcript. The reports were never used. Once an elevator company requested a transcript, but declined it due to the cost; instead they opted for a digital recording.

Commissioner Brown asked for clarification on what fees the bylaws changed. Secretary Halloran replied that it refers to both fees, hearing fee and court reporter. He explained the Department can waive the fee for hearing per indigency form approval. Change in bylaws also allows appellant to request a court reporter to be provided using the same indigency form. The Department shall provide a phonographic reporter upon receiving a written declaration of indigency as prescribed in Section 105A.3.9 Waiver of fee in SFBC. There is no fee for digital recordings. We have two recordings, thumb drive and digital recorder. The equipment are property of the Department.

Commissioner Brown motion to accept changes to bylaws as written. Vice-President Ellsworth seconded the motion.

President Lerner – Yes
Vice-President Ellsworth – Yes
Commissioner Brown – Yes
Commissioner Park –Yes

Motion approved.

Secretary Halloran will send the bylaws to City Attorney Elaine Warren to check wording. A final draft will be issued by City Attorney Warren.

6. COMMISSIONERS AND STAFF QUESTIONS AND COMMENTS: (DISCUSSION)

Errata and supplements were distributed to the Commission. Code change is effective July 1, 2015. Section 11B-411. Destination based elevators code was adopted by the State of California and authored by the Commission.

DBI Brown Bag will be presenting the changes to 11A and 11B. There may be opportunities to do training in the next AAC meetings.

President Lerner commended the Accessibility Brown Bags. Secretary Halloran invited President Lerner to participate.

Commissioner Brown asked if small business owners are invited to attend. Brown Bags are opened to the public. Brown Bags are publicized through emails, DBI website, event page,

and Twitter. Commissioner Park asked about attendance. The Brown Bags meeting approximate 30 attendees, including plan checkers, architects, contactors, and DPW.

President Lerner suggested contacting AIA for educational credit and licensure. Secretary Halloran agreed.

9. ADJOURNMENT:

(ACTION)

The meeting was adjourned at 2:08 P.M.

Thank you,

A handwritten signature in black ink, appearing to read "Rick Halloran". The signature is fluid and cursive, with the first name "Rick" and last name "Halloran" clearly distinguishable.

Rick Halloran
Senior Building Inspector
Department of Building Inspection
Secretary to the Access Appeals Commission