



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

SPECIAL MEETING

Wednesday, September 23, 2015 at 10:00 a.m.

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

Aired Live on SFGTV Channel 78

ADOPTED April 20, 2016

MINUTES

The regular meeting of the Building Inspection Commission was called to order at 12:43 p.m. by President McCarthy.

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

COMMISSION MEMBERS PRESENT:

Angus McCarthy, **President**

Frank Lee, **Commissioner**

James McCray, Jr. **Commissioner**

Debra Walker, **Commissioner**

Sonya Harris, **Secretary**

Warren Mar, **Vice-President**

Kevin Clinch, **Commissioner**

Myrna Melgar, **Commissioner, excused**

D.B.I. REPRESENTATIVES:

Tom Hui, **Director**

Ron Tom, **Assistant Director**

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

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

Taras Madison, **Chief Financial Officer**

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

Lily Madjus, **Communications Director**

CITY ATTORNEY REPRESENTATIVE

John Malamut, **Deputy City Attorney**

2. President's Announcements

President McCarthy read the following announcements:

- In advance of the annual observance of the Loma Prieta earthquake anniversary – this is year 26 – kudos to Director Hui and DBI staff for issuing additional Requests for Proposal to launch DBI's Seismic Safety Outreach Program in Supervisorial Districts 5 and 10. These will be in addition to the already awarded grants in Chinatown, where educational workshops are already under way in helping San Franciscans prepare for the next Big One.

- Special thanks to Director Hui, and other DBI staff, who will participate in tomorrow’s workshop on Additional Dwelling Units (ADUs), which will be held at the Fire House in Ft. Mason, beginning at 6 p.m., which is sponsored by the San Francisco Apartment Association. This is an opportunity to explain the Planning and DBI review process that implements new initiatives by the Mayor and Board of Supervisors to increase the City’s more affordable housing supply.
- To encourage property owners to provide more affordable housing, the Mayor’s recent ordinance that waives DBI and Planning plan review fees for those who voluntarily legalize a currently illegal unit, took legal effect in early September. This means owners participating in this program can save at least \$3,500 in Building and Planning fees by following the stipulated process and legalizing a unit. We look forward to an increase in the numbers of issued permits for this program thanks to these fee reduction incentives.
- Thanks goes to David Pang of Plan Review Services for assisting an owner by guiding him through the plan review process. As stated in the letter he was “expeditious, responsive, and helpful”!
- A big thank you to Carolyn Jayin of the Director’s Office who provided excellent customer service while helping a customer with her permit issue. Thanks again for her professionalism.
- Thanks to all staff of DBI, Fire Department, Public Health and SFPUC who just convened the third public meeting of the Board-ordered Interagency Fire Safety Task Force. With three more public meetings to go, the Task Force will develop findings and recommendations to convey back to the Board to improve fire and life safety in older, multi-unit buildings that we know are more at-risk for serious injuries and fatalities. There will be Task Force public meetings on Oct. 6, Oct. 27 and a final meeting on November 10th, prior to the issuance of the Task Force Report.
- Thanks to all DBI managers and staff who participated in this year’s annual training classes at CALBO, which took place from September 14 through 17th. By participating, DBI staff is better prepared to understand and to implement building safety codes that are so important to San Francisco’s well-being.
- Special thanks to Assistant Director Ron Tom and the DBI Emergency Response Coordination Team, who are preparing for a rehearsal activation this October of DBI’s Departmental Operations Center (DOC) to enable staff to train and improve preparation and response skills so that we are ready for the next major earthquake.
- Finally, just a reminder to staff and managers to submit nominations for DBI’s Employee of the Quarter for Quarter Three 2015. Please send your nomination forms to

William.strawn@sfgov.org as soon as possible to enable the Employee Recognition Committee to choose our next winner in time for the October BIC meeting.

Secretary Harris called for public comment and there was none.

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 General public comment.

4. Discussion on 5th Floor Permitting Process – Over the Counter vs. Submittal.

Deputy Director of Plan Review Services Edward Sweeney gave a Power Point Presentation, “DBI’s Over-The-Counter Process Overview” which included the following items:

- What We Do (Quick Facts about Over-the-Counter (OTC) Process
- Processing of Permits (Types of Permits & Plans Processing)
- OTC Process
- Permit Process with Plans
- Three Points of Intake (First Floor – Public Information Counter/Central Permit Bureau, Fifth Floor – a. Intake Counter b. Payment Counter)
- Fifth Floor Sign-In Process (1. Plan Review Log: Non-Structural Review 2. Recheck Only Sign-in)

Vice-President Mar initially requested this agenda item, and he thanked Deputy Director Sweeney and Director Hui for the report. He had a number of concerns and said that it would be good if the Planning Department did more, there would not be long delays. He was a fan of Q-Matic and thought it would have been helpful for homeowners. Mentioned in the past DBI was accused of preferential treatment and he felt expeditors received better service. Transparency is important and he still had concerns, which is why he was pushing for the ACCELA Permit and Project Tracking System.

There was an extensive question and answer discussion between the Commissioners, Deputy Director Sweeney, and Director Hui regarding permits that were issued OTC vs. those that were submitted.

Secretary Harris called for public comment.

Mr. Jerry Dratler, former member of the Civil Grand Jury, said that data would improve the quality of this discussion and why ACCELA is important. Two examples: 1) If DBI had electronic sign in, then the lapsed time could be measured from when customers signed in to when they were served. 2) If DBI had transaction times one could look at how long it took to service specific transactions. The absence of data is really holding back the BIC from making certain decisions, and he looked forward to the ACCELA discussion later in the meeting.

Mr. Joe Butler said that he was an architect in the City of San Francisco, and has been a longtime customer of DBI since 1983. Permits should be easy to get and expeditors will tell you that is true, but the public coming for a fast permit – not so much. What about an ombudsman, someone on

the first floor who could say if you want to add a little space to your bathroom, but if you removed that then you could get the rest of it OTC. Expeditors know that, but the public does not so it will sit in the Planning Department for months. It should be fast and efficient to come to the Department to get a permit and the fifth floor is great, and works really well. The other departments are represented but not in enough numbers. Planning staff is needed on the same floor. ACCELA would improve all of these things and also provide transparency. The month staff spent preparing this report could have been done by an IT person, and with a few key strokes the machine would do it over night. There is no reason to be so laborious about the work that needs to be done. On the three points of intake, at the first floor everyone should be assigned a number when they come in, not just the people who know to go to the second or fifth floor. When the contractor's license status is checked, that should include their insurance and business registration and if they do not have it, then they should not get to go upstairs and if they are already on the fifth floor they should not get to continue. At the intake counter the valuation should be checked on a worksheet that is submitted for the fees to be collected. Someone should be able to get a permit online before they even come to the building. The application should be filled out on the computer and it could tell the person if they made an error such as filling out the wrong occupancy or not entering a good valuation for the scope of work. When the contractor's information is being checked why not also verify the occupancy of the building. The owner of the building should provide their California Driver's License, even if it is a corporation there is always a Chief. There should be a current letter from a General Contractor to allow the architect to pull a permit. It should also include the conditions on the plan with the CFC required or as documented in the field. Licenses should be current for everyone, including the engineer and the architect, Certificates of Insurance should be provided, and things should stop being written on paper but all entered into the computer system. Why not do everything at once and tie Planning to Building, PUC, DPW with ACCELA. Are there commercial or residential tenants, what is the story count, date of construction, and accessibility could all be answered online before a customer comes in to DBI.

President McCarthy asked Mr. Sweeney if some of the items Mr. Butler mentioned have already been addressed and checked by staff. Mr. Sweeney confirmed that certain permits can be pulled online and staff already verifies the above information. He also mentioned that a 180 page document can currently be completed by MIS in a couple of hours.

5. Director's Report.

a. Update on DBI's finances.

Deputy Director of Administration and Finance, Taras Madison gave an update on DBI's finances and addressed the following items:

- Revenues – Strong collecting of \$70M, and DBI is \$5M over budget which includes the 7% fee reduction
- Expenditures – Savings are due to salary and Non-Personal Services. \$59M was spent and salary spending has increased by \$2M. \$12M is a small balance.
- The Department's budget is becoming more right-sized.
- Updates: Major fee legislation on October 15th. Grants from community based organizations expire in June 2016. The RFP will also be issued in June. Funds for the new building have already been set aside.

b. Update on proposed or recently enacted State or local legislation.

Mr. Bill Strawn of Legislative and Public Affairs gave an update on proposed or recently enacted State or local legislation and discussed the following points:

- The fee legislation signed by the Mayor takes effect on October 15, 2015.
- October 5 Supervisor Wiener will give an update on the legalization in-law program.
- ADU – 13 permit applications filed, but none issued yet. Two or three maybe issued soon, but there needs to be more public awareness.
- Soft story program – Tier 1, compliance on all except two.
- State legislation – Gives property owner 30% tax break if they do seismic retrofits.

c. Update on major projects.

Director Tom Hui gave an update on major projects and said the number has gone down some from last month.

Director Hui mentioned that there would be a Department-wide meeting on October 14th at 8:30 a.m.

d. Update on code enforcement.

Dan Lowrey, Deputy Director of Inspection Services, gave an update on code enforcement and presented the following statistics.

Deputy Director Lowrey presented the following Building Inspection Division Performance Measures for August 1, 2015 to August 31, 2015:

- | | |
|---|------|
| • Building Inspections Performed | 5173 |
| • Complaints Received | 350 |
| • Complaint Response within 24-72 hours | 344 |
| • Complaints with 1 st Notice of Violation sent | 27 |
| • Complaints Received & Abated without NOV | 276 |
| • Abated Complaints with Notice of Violations | 29 |
| • 2 nd Notice of Violations Referred to Code Enforcement | 11 |

Deputy Director Lowrey presented the following Housing Inspection Services Performance Measures for August 1, 2015 to August 31, 2015:

- | | |
|---|-----|
| • Housing Inspections Performed | 956 |
| • Complaints Received | 369 |
| • Complaint Response in 24-72 hours | 366 |
| • Complaints with NOV's issued | 153 |
| • # of Cases Sent to Director's Hearing | 26 |

- Routine Inspections 212

Deputy Director Lowrey presented the following Code Enforcement Services Performance Measures for August 1, 2015 to August 31, 2015:

- # of Cases Sent to Director’s Hearing 51
- # of Order of Abatements Issues 12
- # of Cases Under Advisement 11
- # of Cases Abated 49
- Code Enforcement Inspections Performed 117
- # of Cases Referred to BIC-LC -
- # of Cases Referred to City Attorney 2

Vice-President Mar said that there was a case in his neighborhood at 571 Noe Street that has an NOV problem. The complaint was opened 11/13/13 for work without permit. The NOV was closed when it was scheduled for a Director’s Hearing. No work is being done. The foundation and roof are gone, but it was gutted down to the studs.

Deputy Director Lowrey said that he would follow up on this at the next meeting.

Secretary Harris called for public comment.

Mr. Jerry Dratler said that this was a good report, but he did not get a sense of the NOV backlog or Director’s Hearing problem. This is a multi-year problem. Sign In sheets are done up front. He questioned the back log reports for Director’s Hearings. Gave example of an online store where the shopper (e.g. professional/homeowner) could apply for a building permit, find out the cost, easy to understand how to fill out the pink form when they come to DBI. It would be a great resource to check if permits are complete. At the Planning Department, customers can see photographs of the street use. The Noe Street warehouse building should be on the vacant building list. No enforcement mechanism present in above case. Applicant can demolish building, so Planning and Building should join together.

6. Discussion on Accela Permit and Project Tracking System.

Mr. Henry Bartley, Mr. Sean Bulen, and Mr. Wilson Lo are managing the ACCELA Permit and Project Tracking System. The following information was presented:

- End-to-End (E2E) Business Simulation – Round 1
- Configuration Testing & Fixes
- Data Migration
- Reports
- Concerns

There was extensive discussion between Commissioners and the Project Management staff. One main point of discussion was that there were 127 items severe and critical which need to be fixed before ACCELA can launch.

Secretary Harris called for public comment.

Mr. Jerry Dratler said the Project Management was professional. He mentioned rigorous work of DBI processes. Mr. Dratler suggested that staff put number of hours for each fix, because there was no understanding when ACCELA would be implemented. He is looking forward to DBI and Planning being in the same building. Favorable treatments go awry once there is accounting.

7. Review and approval of the minutes of the Regular Meeting of March 18, 2015.

Commissioner McCray made a motion, seconded by Vice-President Mar to approve the minutes of the Regular Meeting of March 18, 2015. The motion carried unanimously.

RESOLUTION NO. BIC 034-15

8. 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 said that she would like to agendize an update on code enforcement, including the backlog of NOV's and Director's Hearings.

- b. **Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Building Inspection Commission.**

Secretary Harris said that the next Regular Meeting would be on October 21, 2015.

9. Adjournment.

Commissioner Walker made a motion, seconded by Vice-President Mar, to adjourn the meeting. The motion carried unanimously.

RESOLUTION NO. BIC 035-15

The meeting was adjourned at 2:25 p.m.

Respectfully submitted,

Sonya Harris, BIC Secretary

SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS	
Vice-President Mar requested an update on 571 Noe Street that has an NOV problem. – Mar	Page 6
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