

Nominations Committee
Regular Meeting of
November 8, 2022

Agenda Item 4
Access Appeals Commission

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Department of Building Inspection

Access Appeals Commission

Purpose

To serve the City and County of San Francisco and the general public by hearing written appeals brought by any person regarding actions taken by the Department of Building Inspection in the enforcement of the requirements for Access to Public Accommodations by Physically Handicapped Persons (Part 5.5, Sections 19955-59 of the Health and Safety Code of the State of California), as well as action taken by the Department in the enforcement of the disabled access and adaptability provisions of this code. San Francisco Building Code Section 105.3.

Mission Statement

The Access Appeals Commission (AAC), consisting of a five-members, conducts hearings to approve or disapprove the Departments interpretations of applicable disability access regulations and actions taken by the Department to enforce said regulations and abate violations. It shall establish reasonable rules and regulations for its own procedures, choose its officers, conduct public meetings, designate an official reporter, and make decisions and recommendations by resolution.

The Access Appeals Commission

The AAC consists of five commissioners: two from the disabled community, two experienced in the construction industry, and one public member. The Commissioners are appointed by the Building Inspection Commission and serve at its pleasure. The Commission consists of:

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

How to Contact the AAC

Thomas Fessler, Secretary to the Access Appeals Commission, may be reached at:

Access Appeals Commission
Department of Building Inspection
49 South Van Ness Avenue, 5th Floor
San Francisco, CA 94103
(628) 652-3721, FAX (628) 652-3518
Email: Thomas.Fessler@sfgov.org

Meetings

The Access Appeals Commission meets on the 2nd and 4th Wednesday of every month. Meetings are accessible, open to the public, and are held commencing at 1:00 p.m. at:

City Hall
1 Dr. Carlton B. Goodlett Place, Room 416
San Francisco, CA 94102

Disability Accommodations

To request assistive listening devices, sign language interpreters, readers, large print agendas, or other accommodations, please contact Thomas Fessler 628-652-3721 or Thomas.Fessler@sfgov.org at least 48 hours in advance of the hearing.

Language Access

For questions about the Language Access Ordinance, please contact OCEIA at (415) 581-2360 and ask for the Executive Director or Language Access Compliance Officer. Language Assistance: To request an interpreter for a specific item during the meeting, please contact Thomas Fessler 628-652-3721 or Thomas.Fessler@sfgov.org at least 48 hours in advance of the hearing.

Agendas

The Agenda is published on the Friday before the regularly scheduled meeting. Agendas are posted on the Department's website www.sfdbi.org under Agendas & Minutes, at the Main Library in the Government Documents section, and are also available by contacting the AAC Secretary at (628) 652-3721.

2022 AAC Meeting Calendar

Minutes

Minutes are posted on the Department's website www.sfdbi.org under the Agenda and Minutes link 10 days after approval by the AAC.

Filing an Appeal

An Information Guide with Appeal Forms is available by contacting the Commission Secretary at 628-652-3721.

[Access Appeals Commission By Laws \(pdf\)](#)



Kevin Birmingham

[REDACTED], San Francisco, CA [REDACTED] - 415 [REDACTED] - [REDACTED]

Objective: Public Member Seat on the Access Appeals Commission of Building Inspection Commission

Core competencies:

- Community advocate
- Relationship driven
- Service oriented
- Inclusion

Professional Experience:

President of the San Francisco Association of REALTORS – 2018
Broker/President of Park North Real Estate – 2013-Present
Owner of Birmingham Construction Group – 2007-2015
Journey level Carpenter and member of Local Union #22 – 1989-2001

Community Experience:

Public Member Seat on the Access Appeals Commission of Building Inspection Commission 2018-Present
Board Member of the San Francisco Association of REALTORS – 2011-2019
Board Member of the United Irish Societies of San Francisco – 2003-2016
Director for the California Association of REALTORS

Education:

Colorado State University, *Economics*

Completed credits towards a Bachelor Degree in Economics including:

- Economics of Inequality and Discrimination
- Economics of Poverty and the Welfare State



EDUCATION

University of Kansas, School of Architecture and Urban Design.
Bachelor of Architecture, 1969. Honors: Tau Sigma Delta, Tau Beta Pi.

AIA FELLOWSHIP

2015 - Elected to AIA College of Fellows for notable contributions to the advancement of the profession of architecture

ARCHITECTURAL REGISTRATION

California 1982, C12670

CASp CERTIFICATION

CASp-149 (Certified Access Specialist, Division of the State Architect, California)

PROFESSIONAL PRACTICE

1995 - Present Principal
Lerner + Assoc. Architects

1990 - 1995 Partner
Lerner and Nathan, Architects

1988 - 1990 Principal
Arnie Lerner, Architect

1983 - 1988 Director of Architectural Services, Staff Architect
Foundation For San Francisco's Architectural Heritage

1982 - 1983 Project Architect
Asian Neighborhood Design/Self Employment

1981 - 1982 Architectural Designer / Draftsman
Robert Herman & Associates

1980 - 1981 Project Designer
Community Design Center

1977 - 1979 Architectural Designer / Draftsman
Whisler-Patri Architects

PUBLIC SERVICE

2013 - Current: Member, Education and Outreach Committee, CA Commission on Disability Access, Sacramento, CA.

2006 - 2015: Member, SF Architectural Heritage Board of Directors, Vice Chair Issues Committee, SF, CA.

2005 - Current: Member, Access Appeals Commission, Dept. of Bldg. Inspection, San Francisco, CA.

1996 - Current: Member, San Francisco Code Advisory Committee, Disability Access Advocate Seat
(Appointed by SF Building Inspection Commission).

1988 - 1990: AIA San Francisco Board of Directors (Director and Secretary)
- Chaired sub-committee that established Advisory Design Review process to help mediate neighborhood design conflicts.
Assisted in re-writing 1989 Residential Design Guidelines.

1989 State of California Office of Emergency Services Registered Post Earthquake Disaster Service Worker, SF.

1979 Appointed to Mission Armory Task force – Reviewed adaptive reuse proposals.

PROFESSIONAL AFFILIATIONS

American Institute of Architects, SF Chapter
National Trust for Historic Preservation
California Preservation Foundation
Certified Access Specialists Institute (Founding Member)



AWARDS

- Design Award: Art Deco Society of California and the California Preservation Foundation 2007, for rehabilitation/ restoration of the 1930's art deco Cerrito Theater, El Cerrito, CA
- Design Award: Art Deco Society of California, Governor's Award for Historic Preservation, and the California Preservation Foundation 2003, for rehabilitation/ restoration of the 1930's art deco Del Mar Theater, Santa Cruz, CA
- Design Award, California Preservation Foundation, 1999, for McMullen House: Restoration & Craftsmanship (a board and care home for mentally disabled)
- Design Award, California Preservation Foundation - Alameda County Courthouse ADA Entrance and Ramp, 1994
- Design Award, California Preservation Foundation, 1985, for McMullen House: Accessibility & Restoration (a board and care home for mentally disabled)

TEACHING EXPERIENCE

- Opening the Doors to History, Universal Access to Historic Buildings, Webinar, CA Preservation Foundation. 3/16
- Effective ADA Design/Claim-Avoidance Strategies w/Joel Halverson, ESQ. @ SF AIA, Dealey Renton 2014-16
- University of CA Berkeley, School of Architecture, Graduate Professional Practice Class. April, 2014, 2015
- UC Berkeley Department of Architecture Lecture: ARCH 269 Introduction to ADA and Universal Design 2011-14
- Accessibility & the California Historical Building Code, Webinar, CA Preservation Foundation. 9/11.
- Accessibility For Small Businesses –Independent Living Resource Center of SF, workshop for Merchants groups including Marina Merchants. ADA Walk throughs w/ merchants including Sunset District Supervisor & Merchants
- Accessibility Basics - Teaching course being offered to professionals 3rd Saturday each month starting 12/97 at SF Department of Building Inspection (DBI). Sponsored by Independent Housing Services and DBI.
- University of Southern California, USC 1994 Program of Short Courses in Historic Preservation, class in Restoration and Adaptive Reuse with emphasis on the Americans With Disabilities Act (6/17-7/1/94).

CONFERENCES - INVITED SPEAKER

- January '18 CA Preservation Foundation, Accessible Design for Existing Buildings and Landscapes
- August '10 AIA San Francisco. Accessibility Workshop for Architects. Continuing Education Fulfillment.
- July '09, '10 CA Preservation Foundation Conference on Use of California Historic Building code, Disabled Access
- November '08 CA Preservation Foundation Conference on Use of Secretary of Interior's Standards for the Treatment of Historic Properties - San Francisco.
- February '05 CA Preservation Foundation Seminar: Accessibility and Historic Preservation, Modesto, CA
- December '04 Panel Discussion; ADA Requirements for Public Accessibility to Arts Venues, California Lawyers for the Arts & ArtHouse, Oakland, CA.
- October '01 Making Historic House Museums Accessible, Western Museum Association, Palm Springs, CA
- May '98 Sole Practitioner's Annual Breakfast, Featured Speaker, AIA Convention, San Francisco
- June '96 The State Historic Building Code and Preservation Policy, AIA San Francisco
- Oct. '91 Preservation and The ADA National Trust For Historic Preservation Conference, San Francisco
- Oct. '89 National Public Radio, "All Things Considered Radio Interview", Loma Prieta Earthquake

PUBLICATIONS

- Architecture California, August 1990, "Design Mediation: The Role of the San Francisco AIA"
- Rehab Right (Contributor), Helen Kaplan Prentice & Blair Prentice, City of Oakland Planning Dept., 1986
- San Francisco Residential Guidelines, SF Planning Department, 2nd edition (contributing-author)