



**DEPARTMENT OF BUILDING INSPECTION**

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**City & County of San Francisco  
1660 Mission Street, San Francisco, California 94103-2414**

**ACCESS APPEALS COMMISSION**

**MINUTES**

**Regular Meeting**

**Wednesday, February 11, 2004**

**1 Dr. Carlton B. Goodlett Way, Room 416**

**1. CALL TO ORDER AND ROLL CALL**

The meeting of the Access Appeals Commission was called to order by President Baltimore at 1:15 P.M.

**COMMISSION MEMBERS PRESENT:** Ms. Roslyn Baltimore, President  
Mr. Linton Stables, Vice-President  
Ms. Enid Lim  
Mr. Francis K. Chatillon  
Ms. Alyce G. Brown

**COMMISSION MEMBERS ABSENT:** None

**CITY REPRESENTATIVES:** Mr. Rafael Torres-Gil, Secretary  
Ms. Judy Boyajian, Deputy City Attorney  
Ms. Susan Pangilinan, DBI, Recording Secretary  
Ms. Doris M. Levine, Reporter

**2. PUBLIC COMMENT:** None

**3. APPROVAL OF MINUTES:**

Vice President Stables moved to accept the minutes of January 28, 2004.

The motion was passed.

**4. REVIEW OF COMMUNICATION ITEMS:** Moved after Item 5a

**5. CONTINUED APPEAL:****a) Appeal # 03-09 303 2<sup>nd</sup> Sansome Street**

Partial presentation of the Summary of the Appeal by Rafael Torres-Gil.

Presentation by Chandler Eason, Architect for the applicant.

President Baltimore inquired of Mr. Eason if his position was to leave the button on the lift unchanged.

Mr. Eason stated that his position is that the button meets code and that to change it, it may no longer meet code.

President Baltimore stated that one of the things requested by the commission was that he come up with alternatives so that the pressure on the buttons was addressed.

Mr. Eason said that there were two options: to adjust the buttons or provide a piece of equipment that could be set on top of the button that could be left there. The code specifically says that a person must operate the lift with continual pressure.

President Baltimore asked if Mr. Eason had come up with alternatives since there was a question raised about the pressure and the usability of the lift by Commissioner Lim.

Mr. Eason referenced his presentation at the last meeting, of a sketch titled SK2 – of a wheelchair ramp in the lobby area. This is the only option available at this time. A vertical lift will be the same thing as a Garaventa Lift.

Mr. Eason made a detail presentation of the ramp option.

Commissioner Brown noted that the 2<sup>nd</sup> Street exit can be used.

President Baltimore noted that she disagrees because if it is raining, they need to go outside. By law, they should have equal protection.

Commissioner Brown noted that the problem can be solved by installation of an awning from one entrance to the other entrance. At this point, to make them rip the whole thing out is not to anyone's advantage.

President Baltimore said that she thought that there might be other alternatives that they have not presented. She had hoped that they would come up with others.

**Vice-President Stables moved that they approve the hardship based on physical and financial hardship and also that they provided equivalent facilitation in the form of an inclined platform lift.**

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Vice-President Stables noted that the commission had looked at all the alternatives back in 1997/98. This alternative was the one that the Commission (he was in the minority) agreed to. He was not in favor of this solution. Now they are asking for a ratification and he would like the commission to stick with what they were told to do five years ago. The new solutions (which are the old solutions) are not any better than they were in 1997. He suggested that an arrow be added to the sign being proposed. People may not know where 2<sup>nd</sup> Street is.

President Baltimore stated that she feels there are other alternatives that they may not have investigated in terms of the pressure. It is not unusual for disabled people to have problems with pressure. She would be willing to postpone the hearing allowing them time to come up with other alternatives.

Commissioner Chatillon asked the appellant if he had looked at any alternatives for the pressure.

Mr. Eason said that he had talked to Pacific Access Contractors and they said that if they adjust the pressure they were afraid it would not meet the required code.

President Baltimore said that in the past the elevator lift people have come before the commission. Frequently there is a solution other than a ramp. They may have something else to offer.

Commissioner Chatillon asked if the elevator people had said that the lift would not come up to code if the button was adjusted.

Mr. Eason said that if there was too light of a pressure on the button, the button will just float and the lift may operate by itself. The code requirement in Article 8 specifically says that there has to be continuous pressure on the button.

Commission Chatillon asked what the difference was between the lift downstairs (in City Hall) and this one.

Mr. Eason noted that one downstairs was a GSL I which goes down one set of stairs and the other goes down two flights of stairs and a landing.

Commissioner Chatillon asked if there was another lift that they make that solves this problem, whether they could get another model and whether the elevator people can come to the commission meeting.

Mr. Eason noted the differences between a vertical lift and the inclined lift and the construction of a small corridor and that he is sure there are other models or manufacturers. They presented the ramp and vertical lift options that were presented in 1998 when the lift was installed. He doesn't think the code has significantly changed between then and today.

Vice-President Stables reiterated that elevator code specifically tells the manufacturer how to manufacture the lifts. The new model is not going to be any different from the old model. When there is a question of operability the commission has taken the evidence presented from a person in a wheelchair as correct evidence. In this case they have provided a certified letter and pictorial evidence of a working lift. He has not heard Commissioner Lim arguing this point. If she wished to argue this point they should hear it. Usually the commission accepts the evidence presented by people in wheelchairs.

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President Baltimore noted that she would like to correct something. In the past elevator people and others have been here and the pressure issue has not been the first time it has been before the commission. People are in wheelchairs for many different reasons and pressure is not an issue for everybody. She does not want to put Commissioner Lim on the spot anymore. Commissioner Lim has been very gracious in getting into the wheelchair and going up in the lift and they could see what was going on.

Commissioner Brown asked if they had consulted an elevator consultant on this issue, not in '97, but now. If they had consulted with someone who doesn't install them the commission would be happier. Unfortunately the Commission did not take into consideration the pressure at that time. Now the problem has come up.

Mr. Eason noted that PAC is a contractor not a manufacturer and they have installed several different ones in the Bay Area.

**Vice-President Stables repeated the motion; to grant the Unreasonable Hardship based on physical and financial constraints and the fact that they have provided an alternative access and a sign with and arrow.**

<b>Vice-President Stables</b>	<b>Yes</b>
<b>Commissioner Brown</b>	<b>Yes</b>
<b>Commissioner Chatillon</b>	<b>No</b>
<b>Commissioner Lim</b>	<b>Yes</b>
<b>President Baltimore</b>	<b>No</b>

**The motion passed on a vote of 3-2.**

**4. REVIEW OF COMMUNICATION ITEMS: None**

**6. DISCUSSION OF THE RULES/PROCEDURES RELATED TO THE ELECTION OF A NEW VICE PRESIDENT:**

Mr. Torres-Gil referenced the Rules of the Commission included in the packages to the commissioners

Ms. Boyajian cited the relevant portion of the rules and noted that the election needs to go on the agenda as soon as Vice-President Stables is no longer on the commission.

President Baltimore asked Vice-President Stables if she understood that the next meeting would be his last meeting.

Vice-President Stables indicated yes unless he was replaced earlier.

Ms. Boyajian said that the election needs to be on the agenda of the next regular meeting.

Mr. Torres-Gil said that there were no other appeals filed for a hearing in March and noted that the BIC has not formally discussed a new AAC commissioner but that there were names being discussed for possible election in March.

**7. COMMISSIONERS AND STAFFS QUESTIONS AND COMMENTS:**

None.

**8. PUBLIC COMMENT:**

None

**9. ADJOURNMENT:**

The meeting adjourned at 1:45 PM.

**Rafael Torres-Gil**

Senior Building Inspector

Department of Building Inspection

Secretary to the Access Appeals Commission