



DEPARTMENT OF BUILDING INSPECTION

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

ACCESS APPEALS COMMISSION

**MINUTES
Special Meeting
Wednesday, October 13, 2004
3301 Balboa Street**

1. CALL TO ORDER AND ROLL CALL

The meeting of the Access Appeals Commission was called to order by President Baltimore at 1:53 P.M.

COMMISSION MEMBERS PRESENT: Ms. Roslyn Baltimore, President
Mr. Francis K. Chatillon
Ms. Alyce G. Brown

COMMISSION MEMBERS ABSENT: Vice-President Enid Lim
Vacant,

CITY REPRESENTATIVES: Ms. Judy Boyajian, Deputy City Attorney
Mr. Rafael Torres-Gil, Secretary
Ms. Nancy Curvino, Building Inspector
Ms. Doris M. Levine, Reporter

2. PUBLIC COMMENT:

None.

3. REVIEW OF COMMUNICATION ITEMS

Moved after item 4

4. CONTINUED APPEAL: Appeal # 04-02

Presentation of Summary of the Appeal by Rafael Torres-Gil and Nancy Curvino

Presentation by Michael Garavaghlia, Project Architect.

President Baltimore requested that a tour of the building precede the detailed presentation by Mr. Garavaghlia.

A tour of the premises was performed.

Presentation by Mr. Garavaghlia concerning the various issues pertaining to the appeal.

Access Appeals Commission Hearing: October 13, 2004

Presentation by John Kainlauri pertaining to the financial status of the school.

President Baltimore requested additional information from Mr. Kainlauri regarding student enrollment. She emphasized that her concern was with how to make the entry accessible. She also expressed interest in the threshold, signage and maintenance of the lift.

Commissioner Chatillon noted his concern with the threshold of the lift and signage.

Commissioner Brown noted various suggestions about a call bell for the lift and asked whether the commission had the authority to say they did not need the elevator.

Ms. Boyajian said that as she understands the code the building was exempt of the elevator requirement if reasonable portions of the facilities are on the accessible level.

President Baltimore said that she feels that reasonable portions are accessible. Her only issue is the front door.

Mr. Torres-Gil identified compliance with various code issues and indicated that the only issue at hand was the question of whether they needed an elevator.

President Baltimore said that she disagreed, that they do meet the reasonable test, and that something has to be done to the front door.

Discussion proceeded amongst the commissioners, the project sponsors and Ms. Boyajian regarding various entry door options, the actual language of the past AAC decision, exiting requirements, occupant loads, door swings, disabled access student's enrollment, reasonable portion, etc.

President Baltimore said she would entertain two motions: first, to allow the school to study front door issues; second, on having met the reasonableness test on the elevator and that the commission would grant on financial hardship.

Commissioner Chatillon made a motion to grant the Unreasonable Hardship for the elevator with agreement that the threshold be adjusted.

General discussion ensued regarding the actual issues and structure of the motion, between President Baltimore, Commissioner Chatillon, Mr. Torres-Gil, Commissioner Brown, Ms. Boyajian, and Mr. Garavaghia.

President Baltimore made a motion that she is willing to grant an exception to the elevator for access to the 2nd, 3rd, and 4th floors based on the fact that they have met the reasonableness test – they are able to provide the same services on the 1st floor for disabled students based on financial hardship.

Vote on the Motion by President Baltimore:

Commissioner Chatillon	Aye
Commissioner Brown	Aye
President Baltimore	Aye

The motion passed.

President Baltimore noted the front door issue.

After discussion, President Baltimore said that after alternatives were looked at and when they are finished, the appellant must come back to the commission.

Access Appeals Commission Hearing: October 13, 2004**3. REVIEW OF COMMUNICATION ITEMS:**

The commission discussed the Ethics training. President Baltimore noted who had and had not attended the Sunshine and Ethics Laws training.

Ms. Boyajian noted the important of the information involved in the Ethics training.

Mr. Torres-Gil provided Commissioner Chatillon with the DVD copy of the Ethics training.

5. COMMISSIONERS AND STAFFS QUESTIONS AND COMMENTS:

Commissioner Chatillon inquired as to the status of the vacant commission seat.

Mr. Torres-Gil indicated that he had spoken to Ms. Aherne of the BIC and she had noted that she had received one application for the vacancy. He also noted that a BIC committee had been selected for purposes of addressing the vacancy for this commission as well as others but that they had not held any meetings.

President Baltimore inquired of any new cases and Mr. Torres-Gil said he had reviewed one in draft form the prior day.

Commissioner Brown noted the need for November nominations for positions on the commission.

Ms. Boyajian noted that she would be on vacation in November.

Commissioner Chatillon inquired of Vice President Lim.

Mr. Torres-Gil indicated that he had spoken to her daughter and that she could not attend due to a transportation problem.

6. PUBLIC COMMENT:

None.

7. ADJOURNMENT:

The meeting adjourned at 3:45 PM.

Rafael Torres-Gil
Senior Building Inspector
Department of Building Inspection
Secretary to the Access Appeals Commission