



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

**REGULAR MEETING**

**Wednesday, August 17, 2011 at 9:00 a.m.**

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

**Aired Live on SFGTV Channel 78**

**ADOPTED February 15, 2012**

**MINUTES**

The regular meeting of the Building Inspection Commission was called to order at 9:07 a.m. by President Hechanova.

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

**COMMISSION MEMBERS PRESENT:**

Reuben Hechanova, **President**

Kevin Clinch, **Commissioner, excused**

Criss Romero, **Commissioner, excused**

Debra Walker, **Commissioner**

Sonya Harris, **Interim Secretary**

Warren Mar, **Vice-President**

Mel Murphy, **Commissioner**

Frank Lee, **Commissioner**

**D.B.I. REPRESENTATIVES:**

Vivian Day, **Director**

William Strawn, **Communications Manager**

Pamela Levin, **Deputy Director, Administrative Services**

Edward Sweeney, **Deputy Director, Inspection Services**

Rosemary Bosque, **Chief Housing Inspector**

Jacqueline Hubbard, **Senior Clerk**

**CITY ATTORNEY REPRESENTATIVE**

John Malamut, **Deputy City Attorney**

**2. President's Announcement.**

President Hechanova commended some of the DBI staff members who were recognized by Carrie Chan, a realtor, who sent a letter of appreciation to Director Day saying that Raymond Berrios, Garland Simpson, May Pasion, and Shirley Hodge did a great job providing excellent service on her most recent visit to the Department. President Hechanova said that the staff provided everything that Ms. Chan needed and exceeded the level of service that she anticipated. President Hechanova apologized for the lack of timely posting of the BIC meeting minutes, and said there was a transition over the summer and we are getting up to speed, so the minutes will be timelier. President Hechanova said that information in the Commissioner's packets has seemed to fall off and has not been delivered in a timely manner, meaning the material content should be in their hands early enough so that they can review it and give the material the right attention. President

Hechanova stated this was his opinion and asked other members of the Commission to express their concerns.

Commissioner Lee stated that he has been on the Commission for over six years and he remembers a time when meetings were held Monday mornings and their agenda packages would come on Friday and they were really thick. Commissioner Lee said that he spent a lot of time on the weekend just reviewing the package getting ready for the Monday morning meeting, and at that time the agenda item package was so big the BIC decided to move the meeting from Monday to Wednesday just so there would be enough time to review the package, ask questions, and get some answers based on what the Commissioners had read over the weekend. Commissioner Lee stated that he noticed this past year the agenda packages have been getting smaller and smaller, and today's package was actually eight pages so he was kind of surprised. Commissioner Lee said that some of the items on the agenda should have some backup information or documents to review. Commissioner Lee stated that he appreciates the Commissioners receiving information today, but he would like to see if the material could be included in the Friday agenda package. Commissioner Lee said the CAPSS Program is not a new program, and the status of the MOU with the Housing Authorities should not be new so the MOU should have been in their package. Commissioner Lee said he asked about the heat complaints filed with DBI for the past two meetings and the BIC finally got the information today at the meeting, and he also asked about the Q-Matic program. Commissioner Lee stated the BIC keeps hearing there is progress but if this is such an important program for the City and the Department and DBI is trying to implement it and get the customers to go through with it, why isn't there any paperwork, instructions, even something to announce this program to the public. Commissioner Lee said that he would like to see some type of brochures telling people what to expect, because that would be helpful for Commissioners to review over the weekend and then when the BIC meets on Wednesday they could debate and discuss items intelligently.

Commissioner Walker said that she agrees, especially on issues that the Commission routinely has and she thinks with the CAPSS program the BIC has gotten a lot of backup material, but maybe they could get more information about current programs. Commissioner Walker stated that the MOU agenda item is really important, because there have been some real issues and she hopes this is just a first step in the partnership with the Housing Authority. Commissioner Walker said the Commissioners need to have details in order to give advice and make decisions about items before the BIC.

Commissioner Lee stated that the BIC gets a proposed agenda and the Commissioners should look at this more closely, and if they think things are missing it is incumbent on the Commissioners to let the secretary know if they need more information on the proposed agenda items. Commissioner Lee said that there have been cases where the BIC has asked to add things and this was done in the final package.

Commissioner Murphy said that Commissioner Walker mentioned the CAPSS Program and he thinks that is moving along pretty nicely with the people that are running it, and he happened to be on the committee. Commissioner Murphy stated that he is happy that some of the Commissioners are beginning to wake up to what is going on, and he has been talking about it for two years and nothing is happening. Commissioner Murphy said that there were many promises made regarding projects to be carried out, but when it came to "ringing the bell" it did not happen,

and seven months into the current presidency and nothing is getting done. Commissioner Murphy stated that he believes Q-Matic got going this morning just to satisfy him, because he made demands a couple of months ago about getting it going since he sees it as a waste of time: Q-Matic is not going to work, especially with the people running it. Commissioner Murphy said he got a call a week ago from a stakeholder and he was waiting in line for someone to take his check, and there were 25 people behind him. Commissioner Murphy stated if DBI cannot coordinate the cashiers, how can staff implement Q-Matic – It is horrible.

Deputy City Attorney John Malamut stated that the item on Q-Matic is coming up later in the agenda, so he asked if Commissioner Murphy could limit his comments to the things that President Hechanova raised.

Commissioner Murphy said that he believes there are great people in the Department that want to change and they want to help move the Department to the next level, but they are afraid to step up because they have absolutely no support from the Director. Commissioner Murphy asked when is all of this going to end, and mentioned Director Day would be going on leave for a couple of months and he wished her well. Commissioner Murphy said that an e-mail came out last week and Director Day has held the Department hostage for two years, and with this e-mail she is saying that the guy that is going to replace her for two months is handcuffed and cannot do anything so he is very disappointed and to the point where he is ready to get out the door. Commissioner Murphy stated that is what he thinks he will do because there is nothing happening around the Department and it is very disheartening.

Commissioner Walker stated that she wanted to speak in disagreement and she understands Commissioner Murphy has been frustrated, wanting to have more say in the day to day activities which the Commission is actually precluded from. Commissioner Walker said she thinks the point is the more the BIC is informed about the specifics of every project the better it is, the more it will reflect the good work the Department is doing. Commissioner Walker stated considering the weight of the bureaucracy, DBI is moving forward on a major I.T. reform and maybe more specifics are needed on it, but they will receive an update in the Director's Report. Commissioner Walker said the BIC and the Director have brought the Department through a pretty hard time financially, keeping in the black and are now looking at a budget that has a positive when other departments have to cut. Commissioner Walker stated the point of needing more detail in these projects, even if it is frustrating to continue to answer the questions from the BIC it behooves them to get as much information in their package as possible to avoid the frustration and actually be able to work together on these major projects. Commissioner Walker said that all the projects the Department has been working on are coming to fruition.

Commissioner Murphy said that it is not related to the fact that the more information the Commission gets the less frustration there will be – the big projects bring the revenue in. Commissioner Murphy stated what frustrates him is over the last two years DBI has raised fees for stakeholders, doubled permit fees, and they are not getting the service so he is concerned about the stakeholders and homeowners not getting the service they should be.

Interim Secretary Harris called for public comment on item 2. There was none.

### 3. Update on CAPSS program.

Amy Brown, Acting City Administrator for the City and County of San Francisco said she wanted to thank the Department and Commission for all the support that they have given to the CAPSS program and now the implementation process that they are in. Ms. Brown stated that many of the Commissioners have attended meetings and given input on not only the CAPSS, but now as they are going into implementing the 17 recommendations with all of their various sub-parts that bring the new 250 goals as part of the CAPSS process. Ms. Brown thanked the Commission and Department for their support and for also allowing her to hire Laurence Kornfield to direct this project from within the City Administrator's process. Ms. Brown stated they would not be where they are without Mr. Kornfield and owe him a tremendous amount of gratitude within the City. Ms. Brown said that President Hechanova knows Laurence was assisted by a team of enthusiastic interns over the summer who have put together a draft work plan, taking the 17 recommendations and breaking them down, plotting out how to best go about implementation: It is a 30-year implementation plan and a very detailed timeline. Ms. Brown stated that many of the things listed in Phase 1 are now in process, from 2012 until 2015, and they are working closely with DBI staff on these processes. Ms. Brown said they are well on their way but obviously it is a long-term project and they anticipate that a lot of things will happen over the course of 30 years, so they are very fortunate to have strong support from Mayor Lee as well as key members of the Board of Supervisors. Ms. Brown stated they are certainly moving ahead as fast as they can, but in a very deliberative manner that keeps the public informed and they are working on this draft. Ms. Brown said that they were fortunate to have input from President Hechanova at a meeting this week, so they will be making some changes to the initial version and will be getting copies to anyone interested. Ms. Brown stated they have to order more copies and as soon as they are available her department will distribute them, and she would be happy to take questions. Ms. Brown stated that Laurence is present to get into specifics should the BIC have any questions.

Commissioner Mar stated that he was happy to attend some of the Brown Bag lunches that were organized, and he would like to see more of that information more widely disseminated. Commissioner Mar said that he knows some of the things are still in draft form but the more the homeowners and professionals get advanced education, which has been discussed a lot in those Brown Bags is important. Commissioner Mar asked if there are any plans for this to be rolled out across the City.

Ms. Brown said that is an excellent question and Laurence Kornfield addressed the Apartment Owners Association this week and there was a strong turnout from that group, so they are actively looking for opportunities to talk to more folks, and also a big part of the program is educational and publicity. Ms. Brown stated that some of the education would be best started at the counters at DBI, and that is definitely built into the program. Ms. Brown said they have talked to Mr. Kornfield about getting cameras on him and doing more demonstration projects, as well as other things that can be put on the Web, SFG/TV, and other places for those who cannot attend meetings: They can access the information and learn simple and cost-effective ways to make their homes more seismically safe.

Commissioner Walker thanked Ms. Brown for the implementation work that they are doing, and she said that a lot of people have been working on this for a decade or more and it is really

gratifying to see some of this move forward. Commissioner Walker stated that she wanted to remind the Commissioners that Heidi Tse and she were invited to present in Vancouver, Canada to 150 professionals from the building industry. Commissioner Walker said that their city is, unfortunately, dealing with some very challenging buildings that have a lot of cement construction that is problematic, so there may be less of a possibility of risk happening in the near future but they have expressed interest in partnering with San Francisco to share the process, and provide a template to help them define their inventory setting forth a similar recovery program. Commissioner Walker stated that San Francisco has focused on its own inventory buildings, making it safer, but because of the process are able to share that template with other cities that are at risk and she thinks it is exciting that they can be at the cutting edge of preparing for an earthquake which is a wonderful complement to our City that Vancouver has asked for our assistance.

President Hechanova thanked Ms. Brown for taking time out of her busy schedule to address the Commission, and for working with the Commission where two years ago they passed a green building policy, the greenest in the country, and recently San Francisco was recognized for being the greenest city in the category of building codes and practices. President Hechanova said he thinks they could merge that effort with the resiliency and safety of the citizens, and that is paramount to their health and welfare so they could be the leading edge in all categories not only for San Francisco but for the Bay area. President Hechanova thanked Ms. Brown for her efforts on behalf of the Commission and the Department and said if they can help in any way, they are “on call”.

Ms. Brown stated that she appreciates that and her office will definitely be taking them up on the offer – It is really a partnership and so much of the leadership has to continue coming from DBI and the BIC. Ms. Brown said that she sees this going hand in hand with sustainability and green practices to make sure that as many of our building stock as possible could survive the anticipated earthquake. Ms. Brown stated that the City would not have all of that debris to haul away, new buildings, CO2 emissions that go with that so she sees this as very much a green practice to try to go about an increase our resilience.

Interim Secretary Harris called for public comment on item 3. There was none.

**4. Public Comment: The BIC will take public comment on matters within the Commission’s jurisdiction that are not part of this agenda.**

Mr. Spencer Gosch said that he has been a City resident for 39 years and he would like to first wish Ms. Day the best of luck with her medical issues, and wishes her a speedy recovery. Mr. Gosh stated that he has been at the Commission meeting four times in the past and three times he has accused Ms. Day of malfeasance and lack of communication to staff – so now this is the fourth time. Mr. Gosch said that the BIC has done nothing so the taint of malfeasance is now on them, so accordingly he has sent a letter to the Mayor and the President of the Board of Supervisors requesting all of their replacement. Mr. Gosch stated that maybe in a normal year they would ignore him but as this is an election year, he thinks they may be inclined to do something about it. Mr. Gosch said that he also copied numerous media organizations regarding this issue and he is sorry that the Commissioners have not listened to him in the past. Mr. Gosch stated that he would see if he could fix this problem on his own and he would not be back.

Mrs. Ann Marie Aherne said that she just came to say goodbye, and that she was the Secretary of the Building Inspection Commission for 13 years and recently retired. Mrs. Aherne stated that she was on medical leave before and she did not get a chance to say goodbye and express how much she enjoyed working with everybody. Mrs. Aherne said that she worked with over 30 Commissioners and she has seen all kinds of personalities and all kinds of different people. Mrs. Aherne stated that some of the most difficult ones were some of her favorites, and she enjoyed working with everyone in the Department and thanked them for all of their help and said they really do help behind the scenes. Mrs. Aherne said that the Commissioners do not see all of the crazy calls that come into the Commission or the many customers that come in that Sonya will now be taking care of, and they also do not see the day to day of what goes on in the Department and how much the Department really helps everyone on the Commission. Mrs. Aherne stated that staff saves the Commission a lot of time and a lot of aggravation and sometimes they just need somebody to listen to them. Mrs. Aherne said that she knows Director Day does not like the term “clerk”, but she wanted to thank all of the clerks in the Department that do a really good job taking care of the customers and she does not think they get enough appreciation. Mrs. Aherne stated that she very much appreciated the people that helped her and the people at City Hall were absolutely wonderful, and so great to work with. Mrs. Aherne said she should not mention any names because she will forget somebody, and she has also worked with the City Attorney’s Office and they have all been professional. Mrs. Aherne said good luck and she loves DBI, the Department of Building Inspection, and she will be voicing her opinion. Mrs. Aherne wished all of the Commissioners good luck and stated there are quite a few seats up in December and said that Sonya would probably reach 40 Commissioners: We will see how many Commissioners wish to stay on, good luck to all of you and she hopes to be back once in a while as she has a few questions that she would like to ask from this side. Everyone gave Secretary Aherne a big round of applause.

Commissioner Walker said that she has been on the Commission for almost 10 years and the presence of Secretary Aherne in providing continuity through all of the different politics that exist in San Francisco, at DBI and City Hall to provide the BIC with comments, helping the Commissioners to advise the Director, as far as the Department running, making sure that staff is taken care of, that the stakeholders that come in and use the Department’s services are heard. Commissioner Walker stated that she has been in Ann’s office on any given day and eventually the calls can make it to the Commissioners, but the work that the Secretary does to support them doing their job is just essential. Commissioner Walker said that she has not seen a secretary perform as well as Secretary Aherne anywhere in the City on a constant basis of providing the Commissioners with what they need to get their jobs done, so she personally thanked Ann for helping her as a Commissioner, as a new Commissioner and now as an older Commissioner. Commissioner Walker stated that Secretary Aherne has really made it possible to make sure that the Commission serves and provides the service they know they can, and specifically without Ann and her support staff the BIC would not be able to do their job. Commissioner Walker said that Secretary Aherne has been instrumental in forming this Department and setting the Commission on the course they are on now, as frustrating and slow as it is sometimes – It is because of Secretary Aherne that they have been able to do what they have, so she thanked Ann for her support and working for the Commission to provide this wonderful support for the City.

Commissioner Murphy stated that it was great working with Secretary Aherne and he has known her for over 20 years, and it was always great to come to her office especially with the big basket of candy on her desk. Commissioner Murphy said Ann was a great person to be around, she never took sides, she was always fair and he thinks Sonya will have a tough time filling her shoes. Commissioner Lee thanked Secretary Aherne for her service and congratulated her on her retirement. Commissioner Lee said he does not think any of the Commissioners were expecting Secretary Aherne to attend the meeting, and to tell the truth he was going to ask the Commission later on if they could properly thank and commend Ann at a future BIC meeting and invite her back –He hopes they can still do so and maybe they will see her then.

Commissioner Mar said that he is the “new kid on the block” and he does not think he could have been oriented to the Department without Secretary Aherne’s help, so he thanked her for this. Commissioner Mar stated that Ann was right and he is learning that it is the people on the front line of the Department that get a lot of the work done, and he does not think they are appreciated as much as they could be.

President Hechanova stated that no words could explain enough the Commission’s gratitude for Secretary Aherne’s service to them and also to the City, and she will be missed but she will be around. President Hechanova said that the Commissioners look forward to helping Ann celebrate her new chapter, but at the same time she will always be welcomed back. President Hechanova thanked Ann very much. The Commission and the audience gave a round of applause.

Mr. Henry Karnilowicz said that he did not expect Secretary Aherne to be at the meeting either and this shows her commitment and how much she loves DBI. Mr. Karnilowicz stated that Ann was a great person to contact, even to chat with, and everyone is going to miss her but looks forward to seeing her again.

**5. Update on Housing Code Enforcement.**  
**a. Status of MOU with Housing Authority.**

Commissioner Walker stated this was an agenda item she asked for as part of the update with DBI’s partnership with the Housing Authority.

Chief Housing Inspector Rosemary Bosque said she basically went through their database and summarized in the form that staff presented to the Commission back in 2008, the number of complaints directly received from Housing Authority cases on the basis of an MOU executed between the Housing Authority and the Department of Building Inspection, what that breakout happens to be. Ms. Bosque stated in respect to that, from 2007 until year to date, out of 150 cases on the summary there are currently four cases still open: Two are associated with heat and the individuals have temporary heating devices while an overall system is replaced in the public housing projects in which they reside. Ms. Bosque said the other remaining two cases have to do with access issues and she believes those items have been corrected, so of the 150 cases keep in mind when a complaint comes to DBI under the procedures of the MOU, sometimes the individual is complaining about more than one item. Ms. Bosque stated in the far left column the totals of the particular items that came in under that particular complaint, and while it is 150 particular cases, it was about 244 actual items that staff had to address. Ms. Bosque said in looking back at this MOU since it was executed in 2007, Commissioner Walker remembers it

took them almost two years to get the MOU executed because both parties had to agree on the language. Ms. Bosque stated that Deputy City Attorney John Malamut was monumental in helping with the language, and from the protocol established in the MOU that DBI responds to complete within so many days they do an inspection if it is a life safety hazard – all those types of things seem to be working. Ms. Bosque said as far as complaints made directly to the Housing Authority through their system or 311, she cannot speak to that because that is outside of the Department of Building Inspection. Ms. Bosque stated that she was available to answer any particular questions, but the Commission also wanted to hear from the Housing Authority on those other issues.

Ms. Pamela Popolako, Management Analyst for the San Francisco Housing Authority stated that she did not have a formal report at this time on the status of the MOU. Ms. Popolako said that there were some heating complaints at a prior Commission meeting that took place a few months ago, and to her knowledge those have been resolved. Ms. Popolako stated that she would be happy to entertain any questions the Commission has and report back any comments to the Housing Authority.

Commissioner Walker said that this is really helpful because there are complaints that make it back to the Department of Building Inspection, and there are also several organizations that the Department contracts with to provide tenant outreach. Commissioner Walker stated that the BIC has been hearing from them that there had been a delay in working with the Housing Authority to resolve some of the habitability issues, and apparently there was an effort to get information on the Housing Authority's mold, mildew, habitability complaints that have come through this organization and there seemed to be a reluctance to share that information. Commissioner Walker said that her goal as having this as an agenda item is making sure that DBI and the Housing Authority are working towards the same goal, which is to provide safe, clean housing to folks out in the city of San Francisco. Commissioner Walker stated that she wanted to get an update on how the MOU was working and make sure there was a commitment to partnering on these kinds of activities and that is really her goal.

Ms. Popolako stated that their designated representative who was supposed to attend the meeting unexpectedly fell ill, so she could not present the status of the MOU but the Housing Authority representative could do so at the next meeting.

Commissioner Walker said the purpose is to make sure both departments have a solid partnership and are working together, and it is good to hear once they get a hold of a complaint we are working in a way that works with the Housing Authority. Commissioner Walker stated that she wants to make sure the contractors that DBI works with are given the same courtesy in working with the Housing Authority on habitability issues.

Commissioner Mar stated when complaints are issued problems are getting resolved in a fairly timely manner, but he was wondering if there was a breakdown in more problems and complaints from specific projects. Commissioner Mar said that there are a lot of different housing projects and maybe some of them are older or more problematic, so he asked if there was a breakdown about that.



Ms. Bosque said that the Housing Authority has 6,000 or more units, and the numbers of complaints received are not representative as far as sampling. Ms. Bosque stated there are some customers that will call DBI because it is their habit to do so, and the department assists them with the Housing Authority. Ms. Bosque said generally DBI does not necessarily see a cluster but more a situation where the Housing Authority is willing to do something to help the tenant, whether it is giving them interim heat or relocating them that is one option they can look into – moving into a unit that is more agreeable to them. Ms. Bosque stated that the Department sees a plethora of things that they are doing with respect to the complaints, but not the kind of saturation that would come if Inspectors were doing another similar type of inspection.

Commissioner Walker stated there are outreach folks in the SRO Collaborative dealing with these issues so that they hopefully do not get to DBI, and there is a history of working within the Housing Authority on a regular basis to resolve these issues. Commissioner Walker said she thinks it would be very beneficial to do that through the Code Enforcement Outreach program.

Ms. Bosque said with respect to the Housing Authority currently it is complaint-driven, but one of the good things about the MOU is as soon as DBI gets the complaint and goes to the Housing Authority, their in-house counsel knows about that complaint. Ms. Bosque stated that seems to go a long way in helping to resolve these issues more quickly.

Commissioner Walker said that it might be good to be proactive and have a collaborative meeting with the Housing Authority.

Ms. Bosque stated that she would be happy to do that but the last time she made a presentation on that issue before the Commission was in March 2008. Ms. Bosque said if the Department moves toward anything else with our current resources then that would be policy issues that the BIC would need to be involved in, as well as executive management. Ms. Bosque stated to refresh the Commissioners' recollection, when the condition called for DBI staff to meet with the Housing Authority for certain properties or to give input from our outreach people, and then to survey the properties. Ms. Bosque said there is the new issue of receiving complaints from 311 so before launching into anything else other than a complaint-driven system these would definitely be the things that staff wants the Commission's joint input on.

There was continued discussion between the Commissioners & Ms. Bosque that addressed the following points:

- Commissioner Murphy asked if there were 6,000 units and Ms. Bosque said yes approximately.
- Are there in-house plumbers and electricians? Ms. Bosque stated it was her understanding that they do but she believes the Deputy Director could give more information about that.
- If the BIC looks at the percentages with the amount of units, there are not that many complaints coming into DBI.
- Does DBI have enough manpower to take on extra work relating to the Housing Authority? No that is why HIS staff is now only doing complaint-driven inspections, and staff would be looking at an unfunded mandate.
- Commissioner Murphy said the “buck stops with us” but DBI should not be out there enforcing all of these things.

- In 2008 there were seven clerical staff and one supervisor but HIS has gone down to one clerical staff and one supervisor, so if the division was to take on more they would need more resources and staff to do any additional work.
- Commissioner Walker said she wanted to make sure the partnership was intact and that DBI was available to help when these types of issues come up.
- Without committing more staff time there is already code enforcement outreach available.
- The Housing Rights Committee has historically done phenomenal work in the projects, and this goes back to when there was the AIMCO lawsuit.
- HIS staff participated by spending 60 hours on Notices of Violation in the Oakdale projects.
- President Hechanova asked if there was resolution of the notices? Yes but it took a long time to go item by item and part of the problem was the HOA had plans to partially vacate part of the project but the other part was still occupied but not well maintained.
- The Housing Authority is federally funded, but HIS is short three Housing Inspectors.

**b. Heat complaints filed with DBI.**

Ms. Bosque said when Secretary Harris indicated last week that this item was on the agenda, she had to look at the data to see what she could pull that would be meaningful to the Commission. Ms. Bosque stated that she could get a list of the number of complaints within a certain amount of time, but it did not give a lot of information so the staff printed out 295 cases that were heat or hot water complaints that were received from the last calendar year to give some kind of meaningful snapshot of what is going on. Ms. Bosque said to come up this data took about eight hours so a lot of the data was not captured.

**Commissioners & Staff Question & Answer Discussion:**

- The majority of heat and hot water complaints staff is required to make some type of response within one business day, and even with staff shortages DBI was able to do that 94% of the time: The remaining have some sort of response within 2 business days.
- Inspector can go into the system and update complaint tracking information when they have been able to go in and do inspections.
- If there is a complaint about a heating unit within an individual's dwelling or guest room, DBI has to schedule time to do the inspection.
- The complaint tracking system can tell the current status of a case.
- Inspector Bosque said she would have provided more information if she had more time.
- Some complaints are heat complaints and other relate to problems with a boiler, time clock, etc.
- The majority of complaints dealt with the time clock not being set properly or the thermostat being defective.
- Commissioner asked if staff asks tenants if they have tried to contact the landlord or property owner before they called DBI? Yes staff asks this question before taking the case.
- Commissioner Murphy said he would like to get a list of 'repeat offenders'/ property owners that are receiving complaints all the time.
- When some heat complaints are received, by the time the Inspector goes to the site the issues are sometimes resolved.

- Notices of Violation are issued if owner does not comply and they end up attending the Director’s Hearing.
- In September HIS will do a “heat sweep” to make sure the property owner has the time clocks set properly and has the proper permits.
- Ms. Bosque said if Commissioners want additional information she would be happy to provide it at the next Meeting

Secretary Harris called for public comment on the item:

Mr. Richard May of the Housing Rights Commission said that part of what he does as a housing advocate is to advise tenants on how to take care of back rent issues. Mr. May stated that tenants will get a 14-day notice and they will come to ask them what can be done, and the first thing he asks is how they got in that position or why did they not pay their rent. Mr. May said that a significant number respond that they do not want to pay the rent, because where they live the unit is in disrepair and lacking maintenance: He tells them that is not the way to go about it. Mr. May stated that he asks tenants if they notified their property manager about the issues that need to be addressed: They say yes but the manager is unresponsive and this is the only way they can get their attention. Mr. May said once he gets involved and brings these issues to maintenance and bring the habitability issues to the property managers and their supervisors things do get addressed and fixed. Mr. May stated his point is tenants should be able to go to their property managers with their issues, but they do not receive a response until someone higher up gets involved.

Mr. Henry Karnilowicz stated that he was very familiar with SRO’s and many owners are good and some are not, so with them there should be a hefty penalty of \$1,000 per day or something similar because there is no excuse for that

Commissioner Walker said that she appreciated the discussion and wants the Housing division and Code Enforcement outreach organizations to work together to help the public.

## **6. Director’s Report.**

### **a. Update on DBI’s finances.**

Deputy Director Pamela Levin gave an update on DBI’s finances and stated the Department is \$200K over when you compare revenue this year versus this time last year. Ms. Levin said that she would focus on how DBI ended the year for 2010 and 2011 and to make sure everyone realizes that the year in terms of the accounting entries is not over.

Ms. Levin continued to address the following points:

- Departments are still making entries through August 24<sup>th</sup>, and the Controller’s Office will make entries.
- Some departments have not billed out all of their expenses, so that affects what DBI ends up with for work orders.
- Work orders historically have been significantly lower than they were three years ago, which was over \$1M; now they have reduced to \$250K.

- DBI projects revenues will be refunds of about \$5M, \$4.9M greater than that which was budgeted.
- In terms of expenditures, there were many vacancies this fiscal year so that resulted in the surplus of money of expenditures that were less than budgeted.
- City Attorney's Office has not done their billing for the fourth quarter.
- DBI's best estimate was that they would end the year in terms of expenditures compared to budget by about \$3.9M, resulting in the balance of \$8.9M.: This is expenditures versus budget.
- Revenues: DBI has to make sure to set aside sufficient funds to cover the work that people paid for.
- Permits can last for four years and there can still be a lot of work that needs to be done; people come in and they pay before the Department has to set aside funding for that.
- Addressed extension process.
- Commissioner asked if staff could identify major projects at next meeting.

**b. Update on proposed legislation.**

Director Day said there are several items that will be reviewed by the Code Advisory Committee, and some of those are coming in from the program and will be assigned to the structural sub-committee. Director Day stated she would provide the BIC copies once the copies are in draft form.

**c. Update on Permit Tracking System.**

Ms. Levin stated that DBI has been negotiating the Permit Tracking System contract beginning June 1<sup>st</sup>, and at the June meeting she presented a labyrinth of steps that DBI has to go through to actually get a contract executed. Ms. Levin said they hoped to be through in three months, but this is not a good time to negotiate a contract because there were absences due to summer vacation by the City and the vendor, but the contract will be executed by DBI on September 23<sup>rd</sup>. Ms. Levin stated there has to be some legal work between the City Attorney and the vendor. There will be a kickoff of the PTS project at the next Public Advisory Committee (PAC) meeting.

**d. Update on Disaster Coordination Unit and any training provided.**

Deputy Director Edward Sweeney said that he would like to bring Inspectors Tony Grieco and Matt Green to talk to the BIC directly next month, but he could give some background. Mr. Sweeney stated the Disaster Coordination Unit (DCU) was put on hold during the layoff about two or three years ago, and the program was one of the casualties. Mr. Sweeney said that it restarted two or three months ago and it will be headed by Tony Grieco and Matt Green: there are policies and procedures written, but they are three or four years old so they are being rewritten. Mr. Sweeney said they are also "plugging into" the City family and there was a meeting yesterday with the Department of Emergency services discussing everyone's duties when an earthquake happens. Mr. Sweeney said that the BORP (Building Occupancy Resumption Program) is important as well so that systems and engineers walk through buildings and certify their condition after an event. Mr. Sweeney stated that Inspectors Grieco and Greene would give an update at the next meeting.

**e. Update on Q-Matic and status of activation.**

Deputy Director Pamela Levin said one of the things DBI needs to do is hire the cashiers that Commissioner Murphy was discussing, and there are six starting on Monday. Ms. Levin stated in order to roll out the program and provide the information the BIC has been discussing DBI needs to get real live feedback from its customers. Ms. Levin said that she sent notice to the PAC members that if anyone wanted to try out the program to see where the “bugs” are and provide additional information would be good. Ms. Levin stated a few customers tried out the program and did real line testing, but staff wants to continue testing Q-Matic before they roll it out completely.

**f. Update on other technology projects.**

Director Day stated that DBI was able to hire 1408’s in-house to work on the records conversion project by preparing the old records for imaging. Director Day mentioned getting an RFP for the Server Refresh Project. Ms. Day said the Department of Technology is trying to see if DBI can save money by using some of their services instead of using all of our services and buying all of our equipment. Director Day stated Steve Panelli was present from the Plumbing Department to address another project.

Chief Plumbing Inspector Steve Panelli stated that Plumbing Inspection Services has been working on a program that allows contractors to apply for boiler permits online. Mr. Panelli said there was testing done last month with three different contractors that came in to do a lot of the certifications throughout San Francisco, and they did a dry run and staff put it into production for them to test it. Mr. Panelli stated since then they have added three or four more contractors to the databases to see if there were any more problems with the system, and they have had positive feedback so by the end of the month they will be able to launch and put it out to the public for use.

**g. Update on new hires.**

Director Day said since the beginning of the year the Department has had 13 new hires which are actually holdovers from last year that were in last year’s budget, but they will be starting at the end of this month: There will be 13, 6 of which are clerks and some will be assigned to the fifth floor. Director Day stated 3 will be in Housing Inspection services, 2 in Building Inspection, and 2 Structural Engineers.

Secretary Harris called for public comment.

Ms. Rosemary Bosque said that just hearing the issue with Q-Matic something came to mind: She has answered questions about surveys, new things in the Housing Code, things that have to be implemented. Ms. Bosque stated seeing the responses from DBI’s customers, one thing that may need to be considered are monitors on some floors of the Department. Ms. Bosque said that one thing that was effective was the Brown Bag lunches for videos that were done, which were then displayed on a loop at anytime something new occurs. It would go through a five-minute loop and could be done in different languages and this would help customers as they are waiting.

Mr. Henry Karnilowicz stated that he was glad to see the boiler permits online, and his client paid penalties and when the contractor went to get the boiler permits online it was flagged due to this. Mr. Karnilowicz said that MIS was working to clear this up. Mr. Karnilowicz said DBI should look at flagging these so contractors do not have to come in.

Chief Panelli said when a flag is put in and there is a complaint then staff keeps it open until the corrections are made. Mr. Panelli said that they do not know if it has gone to the Tax Board and paid the fine, so the flag is kept on until the permit is obtained and corrective work is done.

**7. Discussion and possible action regarding a Public Employee Appointment – Building Inspection Commission Secretary**

**a. Public Comment on all matters pertaining to the Closed Session.**

Mrs. Ann Marie Aherne stated that she would like to put forward Sonya Harris, who was her assistant for 6.5 years or more – it seems like a long time. Mrs. Aherne said as far as continuity and keeping things going, having some history of what goes on with the Commission is very important. Mrs. Aherne stated when she took over she had no one to train her and did not even know there was an AAC, BOE, or CAC until they came up: She thinks it is really important to have somebody that understands the Department and how it works.

Ms. Rosemary Bosque said speaking as a private individual who has been within the Department since 1990, she wanted to commend Sonya. Ms. Bosque stated that she has to work constantly with the Commission Secretary's office and she wants to commend her professionalism and her protection of the Commissioners in trying to get information for them. Ms. Bosque said as Ann said she does not think the BIC could make a better choice.

**b. Possible action to convene a Closed Session.**

**c. CLOSED SESSION: Pursuant to Government Code Section 54957(b)(1) and the San Francisco Administrative Code Section 67.10(b).**

**d. Reconvene in Open Session to vote on whether to disclose any or all discussions held in Closed Session (Administrative Code Section 67.10(b)).**

*Commissioner Walker made a motion, seconded by Commissioner Mar to disclose any or all discussions held in Closed Session. The motion carried unanimously.*

*President Hechanova stated that he was pleased and proud to announce on a unanimous vote the appointment of Sonya Harris to be the new BIC Secretary, and welcomed her.* President Hechanova said that this is really another milestone, but more importantly leads into another legacy of producing and performing through mentoring and the category of the challenges that the BIC secretary undertakes. President Hechanova stated he knows Ms. Harris will do a good job, and more importantly that she will “protect their backs”.

**RESOLUTION NO. BIC 020-11**

There was applause from the audience and the Commission.

Secretary Harris thanked the Commission for the opportunity to serve and said that she had the honor of being trained by one of the best in Ann Aherne, and she looks forward to carrying the torch and working diligently with the Commission.

**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.**

There were no inquiries to staff.

- 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 meeting of the Commission would be on September 23, 2011.

**9. Review and approval of the minutes of the Special Meeting of February 3, 2011.**

*Commissioner Walker made a motion seconded by Commissioner Mar to approve the minutes of February 3, 2011. The motion carried unanimously.*

**RESOLUTION NO. BIC 021-11**

**10. Adjournment.**

*Commissioner Walker made a motion to adjourn, seconded by Commissioner Hechanova. The motion carried unanimously.*

**The meeting was adjourned at 11:55 a.m.**

**RESOLUTION NO. BIC 022-11**

Respectfully submitted,

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**Sonya Harris**  
**Commission Secretary**

<b>SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS</b>	
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Monthly update on major projects. – Hechanova	Page 12
Update on the Disaster Coordination Unit. – Sweeney	Page 12