



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

REGULAR MEETING

Wednesday, September 21, 2011 at 10:00 a.m.

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

Aired Live on SFGTV Channel 78

ADOPTED March 21, 2012

MINUTES

The regular meeting of the Building Inspection Commission was called to order at 10:35 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	Warren Mar, Vice-President
Kevin Clinch, Commissioner, (left at 11:00am)	Mel Murphy, Commissioner
Criss Romero, Commissioner, (left at 12:25pm)	Frank Lee, Commissioner
Debra Walker, Commissioner	
Sonya Harris, Secretary	

D.B.I. REPRESENTATIVES:

Edward Sweeney, **Acting Director**
William Strawn, **Communications Manager**
Pamela Levin, **Deputy Director, Administrative Services**
Rosemary Bosque, **Chief Housing Inspector**

CITY ATTORNEY REPRESENTATIVE

John Malamut, **Deputy City Attorney**

2. APPEALS PURSUANT TO SECTION D3.750-4 OF THE CITY CHARTER

SPECIAL ITEM: Request by Ross Wilkinson, on behalf of Lakewood Tenants Association, for an exemption from paying the fees required for appeals before the Building Inspection Commission, as provided in S.F. Administrative Code Chapter 77.10. Discussion and possible action regarding Mr. Wilkinson's request for a fee waiver for three appeals he seeks to file on behalf of Lakewood Tenants Association.

Mr. Ross Wilkinson stated that he was representing the Lakewood Tenants Association, and the Commission may remember something that was copied to them last January listing a prolonged series of difficulties in getting a building inspection actually enforced. Mr. Wilkinson said they filed three appeals, and there is a fourth that they did not file that was for access and he thought that would go to the Access Appeals Board, but they do not have jurisdiction.

Deputy City Attorney Catharine Barnes said that the item before the Commission is not for substance, but an underlying appeal: Mr. Wilkinson has asked to file his appeals without paying filing fees, and the BIC has the ability to waive the fees. Ms. Barnes stated that Mr. Wilkinson has asked the Commission to waive the appeal fees on three appeals and the item before the Commission is to allow him not to pay the filing fees that the Board of Supervisors have set.

Mr. Wilkinson stated there are two approaches to the question of fees: One is the legal approach and he gave the Commission some excerpts – he is not a lawyer and did not have much time to research, so this is what he found. Mr. Wilkinson said there is also fairness and reasonableness in this matter, and they allege that this is a criminal landlord: They do not obey the law before they do work at the apartments. Mr. Wilkinson stated that the appeals that are being brought all relate to the same essential problem, shutting off ventilation in the corridors to save themselves money and the Department of Building Inspection will not require them to start it. Mr. Wilkinson said the tenants are faced with a filing fee of \$748 for each of the three complaints that were not addressed by the Department of Building Inspection. Mr. Wilkinson stated that he may have joined them together to minimize the fees, but he felt that each of them needed to be addressed specifically in order to demonstrate and correct DBI on all three occasions to do their job. Mr. Wilkinson said as Ms. Barnes said the association is not claiming to be indigent and they understand what the law requires for people who are indigent to have their fees waived. Mr. Wilkinson stated that part of the state housing law requires fees for prosecuting all of the work that DBI would do to enforce the Code, and they have to be limited to recent requirements and that they shall not be levied for general revenue purposes. Mr. Wilkinson said that the fee has gone up from \$100 to \$748 in one fell swoop and it seems like a pretty large increase at one time, so he would like to research the question of whether that reflects the reasonable costs of the Department to address these complaints. Mr. Wilkinson stated that they are not going to go as a tenant's association, or as individual members, the details of their personal finances before this Board: They think DBI should do a good faith effort to enforce the law and if they do not then the Association would have to find some other way to address it. Mr. Wilkinson said they are appealing to the Commission to recognize the kind of obstacle that \$748 in filing fees would present to individual tenants, given the fact that they have to come to the Department quite often because they have a landlord that has no respect for the law which is proven. Mr. Wilkinson stated that the City Attorney has already sued this landlord for refusal to install the fire alarms.

Commissioner Lee asked how many members are there in the Lakewood Tenants Association?

Mr. Wilkinson said that he does not have the exact number, but there are over 200 people signed in to the association and dues are voluntary.

Commissioner Lee asked how many units there are? Mr. Wilkinson stated 721.

Commissioner Lee stated essentially Mr. Wilkinson disagrees with the Department's determination.

President Hechanova called for public comment on this item. There was none.

Commissioner Walker said that fees are not set by the Commission so they are very limited as to when they can be deferred, unless someone is indigent.

Commissioner Walker made a motion, seconded by Commissioner Murphy to not defer the fee, and deny approval of the fee waiver.

Secretary Harris called for a roll call vote.

President Hechanova	Yes
Vice-President Mar	Yes
Commissioner Clinch	Yes
Commissioner Lee	Yes
Commissioner Murphy	Yes
Commissioner Romero	Yes
Commissioner Walker	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 023-11

3. President's Announcement(s).

President Hechanova stated that the public was recently notified of the telephone inspection scheduling service that has been available since the beginning of the year to help improve requests over the phone for scheduling. President Hechanova thanked Evelyn Karcs and Ren Yu Zhang for providing a high level of public service to customers at DBI.

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

Ms. Nancy Wuerfel said that she wanted to bring to the Commissioner's attention a rather unusual circumstance that they wish to look into. Ms. Wuerfel presented a copy from the online Permit Tracking System that shows there is a complaint missing, and she said how do you prove a negative or a missing complaint. Ms. Wuerfel stated that the complaint was recorded correctly and was in the system as of August 17, the case was opened and abated: She is not familiar of any way to remove a complaint from the tracking system. Ms. Wuerfel said that the public makes complaints, staff investigates them, but they are usually left open until they are finished. Ms. Wuerfel left some copies for the Commission and stated that she wanted to have someone look into how and why any complaints are being removed from the public record.

Mr. Sandy Biernbak read a memo that was sent to members of the Commission on August 15, just before the previous August meeting, by Sonya Harris. Mr. Biernbak stated the memo says "Rosemary Bosque and Steve Panelli met with Mr. Biernbak this morning for one and a half hours, and hopefully his issues have been resolved. Most likely he will speak during public comment, but I think that the Commission has to be careful not to respond to him directly pertaining to 570 O'Farrell Street, since this is not an item that is on the agenda." Mr. Biernbak said a few things come to mind: Does Ms. Harris set the agenda and under what authority did she have to limit my comments? Why did she not ask me if the issues had been resolved since my name was on the memo? Mr. Biernbak said in fact why was he not sent a copy, since the BIC

obviously got a copy: He got it through the Sunshine laws. Mr. Biernbak stated he had to file through the Sunshine laws in order to get a copy, and a couple of responses that he was given during the meeting when they were talking about the heating issues he has had: Eight days without heat and when he raised the issue about what would happen in the future, his comment was the next time it happens why not call the Health Department. Mr. Biernbak said that when he asked how other jurisdictions and cities handle the emergency situations, Inspector Panelli said if you do not like the way we handle it move to another City – This is from a senior management member. Mr. Biernbak stated that he knows the BIC is not supposed to reply to him, but somewhere along the way he feels he deserves some answer. Mr. Biernbak stated that there is still no permit for the hot water heater, and another Notice of Violation (NOV) was issued on September 2, 2011.

5. Discussion of planning reviews/approvals between the Planning Department and Building Department that are required for building permits.

Mr. Jonas Ionin of the San Francisco Planning Department gave a presentation, along with the Director of Current Planning Kelly Amdur. Mr. Ionin thanked the Commission for the opportunity to introduce a conversation regarding building permit applications. Mr. Ionin said that the Planning Department’s mission statement is “The San Francisco Planning Department promotes the orderly, harmonious use of land and improved quality of life for our diverse community and future generations.” Mr. Ionin presented a power point presentation and addressed the following points:

- Role of the Department in San Francisco
- Organizational Structure
- Citywide Planning
- San Francisco’s General Plan
- Plan Elements
- Area Plans
- Role of the General Plan
- General Plan and Permits
- Priority Policies
- San Francisco’s Planning Code
- Zoning Map
- Zoning Administrator
- Current Planning
- Planning Information Center (PIC)
- Property Information Map
- Permit How-To-Guides
- Deck & Stair How-To-Guide
- Building Permit Review
- Over the Counter (OTC) Permits
- Neighborhood Notification
- Neighborhoods
- Discretionary Review
- Conditional Use Authorization

- Variances
- Environmental Planning
- The California Environmental Quality Act (CEQA) & Historical Resources
- Historic Preservation Commission
- Article 10 SF Landmarks and Historic Districts
- Article 11 Conservation Districts
- 2010 Planning Stats
- Questions

Mr. Ionin asked if the Commissioners had any questions.

Commissioner Murphy asked if the Planning Department would be open to a round table discussion with the Building Department once a month so that both departments could understand each other better.

Mr. Ionin said that he and the Director of Planning currently attend the Public Advisory Committee (PAC) meetings, but it depends on the Planning Director himself as to whether he would like to attend. Mr. Ionin stated if there was an agenda item specific to Planning then he would consider it.

Commissioner Murphy stated that he was not particularly asking for the Planning Director to be there, but maybe the Zoning Director.

Mr. Ionin said that he had a conversation just yesterday with the Zoning Director and he expressed interest in attending if Mr. Ionin could not, and he also said he would be happy to send his assistant.

Commissioner Walker said she looked at the website to give customers information which is specific for a property in the City which is a great thing, and she is wondering if there would be a time when DBI's tracking system is combined with the Planning Department's tracking system.

Deputy Director Pamela Levin stated that DBI is currently developing a Permit Tracking System and one of the modules is a public portal that would provide information and transparency that the Commission wants to have.

Commissioner Walker said that she knows the Department is working on the PTS and for the first time in history Planning and DBI will be jointly using the same system which is a huge deal. Commissioner Walker stated that the goal would be that the public would go to one website, and Planning and Building need to bring their processes together more since this has been a historic problem. Commissioner Walker said that it was a good and comprehensive presentation and they all look forward to working in one rhythm.

Commissioner Mar thanked Mr. Ionin for the presentation and said that he has been looking forward to it, and he thinks it is very helpful to have members of staff present from the first and fifth floor. Commissioner Mar stated that he thinks there is often confusion among the public about what is the purview of Planning or DBI – All they know is they cannot get it done fast enough or something is holding it up, so they just see that as “The City”. Commissioner Mar said

that any education to help the public is good and helps to alleviate some of their frustrations, because he worries about the one-time builder since the professionals have figured out the system. Commissioner Mar stated that the professionals are usually the ones that come to the Public Advisory Committee meetings, and they come to DBI everyday so he is worried about the one-time remodeler who just bought a house in San Francisco and they want to get something done, so he hopes they would get their project done as easily as it has been laid out today.

Mr. Ionin stated that Commissioner Mar was absolutely correct and it may be the first and last time a customer ever comes through their doors.

Commissioner Lee said that there is a lot of confusion with the general public, especially people not familiar with the construction and permitting process so it is incumbent upon the people at the front counter who can answer questions intelligently and explain, clearly in layman's terms, the difference between what Planning does and what DBI does. Commissioner Lee asked how the Planning counter staff answers that question and how do they explain the difference in the departments.

Mr. Ionin stated that he manages the Planning Information Center and they conduct bi-monthly trainings every other week for their staff. Mr. Ionin said the complexity of the Planning Code is difficult enough to comprehend, especially with the number of legislative changes they incur in any given year; however they have heard and are currently addressing the issues of being able to have some better knowledge and working relationship with them. Mr. Ionin stated he has already spoken with the Captain of the Fire Department and he has agreed to create training for their staff, and he intends to do the same so they can at least address some of those basic issues and some of their Codes set conflict with one another so they do not want to create additional burden on any of the applicants.

Commissioner Walker said that she knows DBI Inspectors are the ones usually out in the field inspecting so on issues like enforcement of the use of buildings and possible change of use without review, is the Planning Department doing something to address this and make better use of DBI Inspectors.

Mr. Ionin stated that this is something that they could potentially look at down the line, but currently the Planning Department does not use Building Inspectors as much as they probably could, but those items need to be approached with a different eye.

Commissioner Walker said that they are use related as opposed to structural, and it is the zoning and other issues that create problems around land use in San Francisco.

Mr. Ionin stated surprisingly their eyes in the neighborhood do a good job of finding issues and sometimes creating them.

Commissioner Murphy said that from the stakeholders' point of view, communications with Planning has improved in the last year thanks to the new Zoning Administrator, Mr. Ionin, and Ms. Amdur – It has been refreshing. Commissioner Murphy stated that for a long time DBI was classified as the “ugly duckling” while they were over there in “Trump Tower”.

President Hechanova stated that one issue to consider is priority policies and an issue that comes to mind beyond earthquakes would be to take into consideration on the coastal side, the tsunami zone. President Hechanova said that along the Bayside and the environmental issue of the sea level rise are two priorities that should be taken into consideration.

Mr. Ionin said that FEMA required all jurisdictions that border water to conduct a new flood control ordinance and reassess floodplains. Mr. Ionin stated that San Francisco never was in a flood plain and now the City has adopted a flood plain ordinance.

President Hechanova stated that another issue would be CEQA, from the standpoint of those buildings that are 50 years or older and by virtue of their age automatically qualifies to have them at this level of review. President Hechanova said for example a 50-year-old building that has no real category of merit.

Mr. Ionin said that any building 50 years or older is a potential historical resource, and a dedicated Preservation Planner can make quick determinations at the counter as necessary: It is slightly subjective and if they feel it is necessary they can require it, but just because the building is 50 years or older does not make it a historical resource.

President Hechanova called for public comment.

Mr. Joseph F. Butler stated that he was a member of the American Institute of Architects and has been practicing in San Francisco with his own firm since 1987. Mr. Butler said that he is encouraged by this move to integrate the two departments more closely so that there is better communication and better understanding. Mr. Butler stated that hopefully this new spirit will cause the BIC to accept that invitation, and he is present because part of the problem the two departments have is that they are both governed by a local ordinance and as state law the California Building Code, San Francisco Inc., and own amendments and enforces both the state law and local amendments as well. Mr. Butler said that Planning has a similar job and the general plan is county-adopted ordinances, and in trying to do both jobs each department has to depend on the other for referrals and information in order to do the job the law requires of them. Mr. Butler stated just like the Planning Department cannot grant a building permit without Code compliance to the San Francisco amendments, neither can the Building Department issue a permit without CEQA compliance for general plan referrals and that is the hardest part. Mr. Butler said that there seems to be either a lack of understanding of what is required of Building Department personnel to get to see the permit applications first or in some cases, and run around a planning review for a particular project. Mr. Butler stated hopefully that will become a thing of the past and everyone can move forward.

Ms. Nancy Wuerfel said that she wanted to mention a specific issue on the topic of joint sharing responsibility for building permits with the Planning Department having to do with follow up on expired permits. Ms. Wuerfel stated that she was concerned about the rules of the game between each of the departments on how to deal with expired permits so she inquired on a Sunshine request to William Strawn, who said the Planning Department has different rules and require approval after a permit has been expired three years but they stated that a permit issued is not vested until all work starts but there is no determination on what that means. Ms. Wuerfel said when an expired

permit happens, there is nobody at DBI who says what work have you started. Ms. Wuerfel stated that there are no photographs required and there are multiple, multiple examples of expired permits well over three years, beyond ten years sometimes that have been renewed without referral to Planning. Ms. Wuerfel said that compromises the ability of the planners to implement more recent codes governing their activities because they never saw the permit. Ms. Wuerfel referred to a document for the BIC to look at in order to start formulating a better procedure, and she stated that there are better procedures proposed by Planning that are not adopted and integrated into Building and this is the first conversation she is bringing to the Commission's attention – There is a lot of stuff that needs to be done. Ms. Wuerfel said that on another matter there are windows in every building and there is a thing called the Standard for Window Replacement, April 2010 by the Planning Department that is completely ignored on a routine basis. Ms. Wuerfel stated that for most permits people come in and say replacement in kind and figure they are good to go, but there are caveats and they want people to look at them. Ms. Wuerfel said that the Building Department has to recognize the buildings that are over 50 years old need to be specially reviewed and it should not be an automatic stamp because there is an in-kind request. Ms. Wuerfel stated this document talks about windows facing the public right of way, so when she sees an application for the replacement of windows and they do not ask where or how many: Are there 50 windows being replaced or 1? – Without information on the actual description no one knows if this should be going to the Building Department or Planning Department, and she is simply trying to bring to the BIC's attention the kind of disconnect that brings people into problems. Ms. Wuerfel said that she supports the idea of having people from Building going to the Planning Commission, and she left some documentation for the Commissioners.

6. Update on Disaster Coordination Unit and any scheduled trainings.

Mr. Tony Grieco gave a little background on the Disaster Coordination Unit (DCU) and said that it was activated on March 7, 2011, with the assignment of Acting Chief Building Inspector, Tony Grieco as Manager and Senior Housing Inspector, Matthew Greene as Assistant Manager, reporting to Deputy Director Edward Sweeney. Mr. Grieco stated that their office is located in room 2001 and last May they came before the Commission to outline their work plan timeline, which they will update today. Mr. Grieco read the mission statement of the DCU: “The Mission of the Department of Building Inspection Disaster Coordination Unit is to prepare, coordinate, and organize department personnel and resources to provide an effectively managed response to incidents of earthquake, emergency, and other disasters in conjunction with the Department of Emergency Management.”

Mr. Grieco gave a presentation and update on the DCU that addressed the following points:

- **DCU Activities and Training Provided in the following areas:**
 - Disaster Service Worker (DSW) 240 staff have completed a refresher for responsibilities and reporting requirements under both State and Local law.
 - Safety Assessment Program (SAP) certification renewal for Inspectors and Engineers as required under State law and FEMA eligibility criteria. 49 BI, 13 Engineers.
 - National Information Management System (NIMS) and Incident Command System (ICS) refreshers will be provided over the next year as part of a multi-year training plan we are developing based upon the National Preparedness Guidelines Target Capabilities List.

- Community Action Plan for Seismic Safety (CAPSS): attending regular weekly educational seminars to obtain the latest information from Technical Experts and various government representatives to assist in mitigation and recovery efforts.
- Communication: 800 MHz radio training and field exercises have been implemented for all divisions, including Building, Electrical, Plumbing, and Housing Inspection staff. Radio inventory and assignment list have been updated.
- WEB/EOC: DBI is actively participating in training and implementation on WEB/EOC, which is a computer-based program for managing disasters and planned special events. There will be citywide integration over the next year. This is an excellent program that provides real time status report preparation and immediate communication between agencies.
- **Facilities and Equipment:**
 - Department Operations Center (DOC), room 2001
 - In August, 2011, all communication equipment including 1-digital and analog telephone, 2 - (METS LINE) Mayor's Emergency Telephone System, 3-Network Computers, and workstations were inspected and tested for emergency use.
 - DBI DOC will operate under the (ICS) Incident Command System when activated during an event.
 - Training exercises will be held over the next year, including October 20, 2011, for the Great California Shakeout.
 - Future improvements would include a wireless communication system, improved workstation furniture and reduced set-up time during activation.
 - Emergency Command Vehicle (ECV) – The vehicle is currently parked at the Building 606 gated lot at Hunters Point and is available for deployment when needed.
 - BAUASI (Bay Area Urban Area Security Initiative): 2012 Grant Cycle Update:
 - DBI has submitted a Grant Proposal for **Mobile Devices for Field Reporting** through the Department of Emergency Management (DEM). Matt Greene has prepared this proposal along with other Agencies and the award of the grant will be announced next month. These devices will be compatible with our new Permit Tracking program and were used extensively during Hurricane Katrina for damage assessment reporting.
- **Personnel Preparedness and Safety:**
 - Go-bags have been ordered for all DBI staff for emergency use to be stored at their workstation. These packs contain life safety tools and survival supplies and will be updated annually.
 - Office Emergency Supply Kits have been ordered for use at each of the six floors at 1660 Mission St. to support 120 persons. These kits include water, sanitation and first aid tools and supplies in the event both staff and citizens are sheltered in place during an event.
 - 250 Special Field backpacks are being provided for all Inspector and Engineer Strike Teams performing safety and damage assessments after an earthquake.
- **DBI Emergency Support Functions:**
 - Under the City's Emergency Response Plan, DBI is assigned to assist with Emergency Support Functions #3, #5 and #12, focusing on safety and damage assessments for all buildings and structures in coordination with DPW as well as

overall emergency management. Attached are the response plan support function definitions and assignment matrix for City Departments.

- The following attachments were included with the handout: Attachment #1 – Local ESF Definitions, Attachment #2 – ESF Department Representation, Draft Copy – City and County of San Francisco Guidelines for Organizing Post-Disaster Safety Inspections.

Commissioners & Staff Question & Answer Discussion:

- Do first responders take home the radios they have? Currently there is no policy or requirement for staff to bring those radios home.
 - How do first responders get in touch with DBI and vice-verse? As part of the mobilization guidelines there is a predetermined protocol in terms of the function and there is a call tree so who gets the call and who is activated in some kind of redundancy either through cell phone or personal phone.
 - In an extensive disaster where communication would be nonexistent, communication would be through the media to tune in for specific instructions the City will make for first responders to report: We do not want people reporting without any instructions.
 - If first responders have a predetermined instruction they would check in with their supervisor or use the call tree protocol: Inspectors are required to take their radios into the field.
 - Are the first responders certified? DBI staff are not officially first responders, because that would be Police and Fire.
 - Inspector's role is based on initial damage and safety which would be activated based on the critical facility in the assignment: Once they get reports of where the damage or hazards are, the teams will be directed to those locations and get the reporting information.
 - An important area is facilities and equipment and Room 2001 is where DBI's DOC is located.
 - October 28th is the Great Shakeout and it will be initiated from Sacramento and DBI will participate with that.
 - Has DBI given any thought to enlist the public's help in the event of a disaster? If there is a big disaster and Inspectors and Engineers are needed in the field, I believe there is a sufficient amount to do the job.
 - Is there a method of seeking other professions to come in and help or even former employees? There is mutual aid in place which is exactly what is going to occur when staff is overwhelmed.
 - There will be Inspectors to come from within the State and there are more safety assessment Inspectors in California than anywhere else in the country.
 - Another resource is convergent volunteers and they will just show up with no training and want to help, but that is a valuable resource (e.g. Ham operators) the Department wants to develop.
 - Concept of shelter in place is important because there may not be enough time for people to move elsewhere.
7. Report on heat complaint compliance time frames, statistics on repeat offenders, and recommendations for resolution.

Chief Housing Inspector Rosemary Bosque said that the last time she was before the Commission they spoke about the Department's initial response. Chief Bosque gave a presentation and addressed the following points:

- **Housing Inspection Services (HIS) – Heat Complaint Recommendations**
- Short Term Recommendations:
 1. The division has now established a more structured policy regarding time frames for heat complaint compliance and has added time frames for work initiation/permit submittal. (Note that some cases may have conditions that require a case by case approach).
 2. Any Heat Complaint that does not comply with the time frames specified above will be scheduled for a Director's Hearing within 5 working days.
 3. HIS will continue proactively to perform heat sweeps in the Fall on multi-family dwellings to minimize heat complaints.
- Long Term Recommendations:
 1. Have the ability to issue Heat Notices of Violation (NOV) from the field rather than from subsequent office data entry.
 2. Have the ability to contact property owner representatives through designated contact person/phone number on file (as required by the jurisdiction) for multi-family and rental dwelling units.
- There was a chart attached (Exhibit B) that had data relating to: Type of Heat System, Nature of Heat Complaint, NOV Will Now Require Work Start/Permit Filing Date, NOV Will Now Require More Structured Compliance Time Frames (From Date of CTS NOV Issuance).
- There was a chart attached (Exhibit A) that had data relating to: Total Number of Repeat Heat Complaints Alleged for 2010, Break Down of Required Compliance Time Frames for 126 Heat Notices of Violation Issued, Break Down of Actual Compliance Time Frames for 285 Cases With and Without Issued NOV's, Heat Complains Abated Before/ At Time of Inspection, Total # of Alleged Heat Cases for 2010.

Commissioners & Staff Question & Answer Discussion:

- What if cases happen repeatedly and the time clock is fixed and then the problem occurs again? Inspector can document this is the issue then it may be a case to send to a Director's Hearing and get issued an Order of Abatement.
- If NOV's issued and 87 out of 126 do not complete work within 30 days why? Staff did analysis and some had to do with extensive repairs and sometimes temporary heat was provided.
- Biggest "stick" DBI has is referring a case to the Code Enforcement Division and next they would get referred to the City Attorney and the owner would be getting billed for assessment of cost.

President Hechanova called for public comment.

Mr. Sandy Biernbak thanked Ms. Bosque for the presentation and asked why these statistics are not available all the time, and he said most statistics can be kept on a simple spreadsheet. Mr. Biernbak said it would be good if it stated what the Code violation was on the NOV, and the problem he sees is this culture is reactive and not proactive. Mr. Biernbak stated that he appreciated what happened on the heat situation.

8. Director's Report.

a. Update on DBI's finances.

Deputy Director Pamela Levin gave an update on DBI's finances and said that the Finance Division tried to go to a more pictorial review and included worksheets that showed statistics by using pie charts, etc. at the request of President Hechanova. Ms. Levin discussed the following items:

- Revenues
 - Apartment/Rental Unit/Hotel License Fees
 - Interest & Investment
 - Charges for Services
 - Intrafund Transfer for DCU from Strong Motion
- Refunds
 - Total Revenues Net of Funds \$47,702,852
- Expenditures
 - Employee Salaries and Fringes
 - Overhead
 - Non-Personal Services
 - Community Based Organizations
 - Materials & Supplies
 - Capital Outlay
 - Services of Other Departments
 - Expenditure Recovery
 - Operating Transfers Out
 - Intrafund Transfers Out

Commissioner Walker asked if DBI has had to issue refunds for cancelled projects? Ms. Levin said a very small percentage.

Commissioner Hechanova asked if there was a spike in revenue the last quarter? Ms. Levin stated that she suspects so, but it is hard to tell because some projects can sit in Planning for several years.

b. Update on proposed legislation.

Acting Director Edward Sweeney gave an update on proposed legislation and discussed the following ordinances:

- **Ordinance No. 110854** – Updates green building requirements for the design, construction and operations of City buildings by amending the SF Environmental Code.

- **Ordinance No. 110853** – Proposes to create a Public Arts Trust Fund to help preserve and maintain art required by new developments in the C-3 Downtown District.
- **Ordinance No. 110657**- Proposes to amend the Building Code Section 106A.2 to exempt cartouches from permit requirements.
- **Ordinance No. 110590** – Proposes to amend the Planning Code Section 181(d) to provide a process for the reconstruction of buildings damaged or destroyed by fire or acts of God, and comes with a retroactive operative date of Aug. 1, 2009.
- **Supervisor Avalos** – has requested a public hearing at Land Use – yet to be scheduled- on the topic of **converting housing/rental housing to vacation rentals**.
- Planning, working closely with the Department of Public Health, may soon introduce **amendments to what is known as the Maher Ordinance/Toxic Cleanup Ordinance**.

c. Update on Permit Tracking System.

Deputy Director Levin said that she was pleased to announce the contract with Accela 21-Tech is completely executed, and DBI is starting on the project. There was applause from the Commission and the audience. Ms. Levin addressed the following points:

- Contract signed by Vendor, DBI and City Attorney on September 12, 2011 and submitted to the Office of Contract Administration/ Purchasing (OCA) on September 12.
- OCA's review must be completed by September 23, 2011 in order for the vendor to maintain the quote.
- Working with Planning to schedule kickoff meeting with staff during the first week of October.
- Attachments: High Level Project Deliverable Schedule
 - Initiation
 - Analysis
 - Configuration
 - Build
 - Readiness
 - Deploy

Ms. Levin said that Accela is developing mobile devices that are hand-held for Inspectors to use in the field.

Commissioner Murphy asked what is the time limit for implementation or getting the system up and running?

Ms. Levin said it should be in production at month 21 but the final move into Help Desk will not happen for 24 months.

d. Update on Q-Matic and status of activation.

Mr. Ron Tom, Senior Building Inspector in Permit Services division gave an update on Q-Matic and status of activation. Mr. Tom addressed the following points:

- Implementation at the Permit Center

- Program goals
- Deployment timetable
- Customer Orientation and Outreach
- Draft – DBI Customer Guide to Permit Services

Commissioner Murphy thanked Mr. Tom for the tour and he said he was enlightened, and he also thanked Mr. Tom and Acting Director Sweeney for moving forward with Q-Matic as he was skeptical about how it would work, but they convinced him.

Commissioner Walker thanked Mr. Tom and Acting Director Sweeney for the tour also and said that the staff has worked on this for a long time. Commissioner Walker said that she brought up the ability for Q-Matic to record needed information into the PTS.

Commissioner Mar said he appreciated the discussion and tour and that Q-Matic will help navigate multiple departments, and he would like to have a look at the data.

e. Update on other technology projects.

Ms. Levin gave an update on other technology projects and addressed the following items:

- Web enhancements/ features
 - Online Inspection Scheduling
 - 3R requests over the web
 - Permit to operate boilers
- Refresh Infrastructure
- Cash Management System
- PC refresh
- Miscellaneous ongoing projects
 - Integration with the Enterprise Addressing system and DBI addressing system
 - Incorporate changes to track SFPUC Ordinances within the Permitting process

f. Update on new hires.

Acting Director Sweeney gave an update on new hires and said that since July 2011 the Department has hired approximately 22 people, 14 new employees, and 8 are under recruitment. Mr. Sweeney said that of the 14 hired, 8 would be clerks, 3 inspectors, 1 engineer, 1 secretary, 1 administrative analyst: The 8 positions are currently under recruitment, 3 are engineers and 1 is an electrical inspector, 1 is business analyst, 1 is a senior account clerk, 1 project manager and 1 account intern.

Commissioner Murphy asked if there was going to be another mechanical engineer hired?

Mr. Sweeney said there is one mechanical engineer a 5207, 2 mechanical engineers and 1 structural engineer.

President Hechanova said if they are hired when would they come on board?

Mr. Sweeney stated that the interviews already happened so in 6 weeks.

9. 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 Murphy said if someone applies for a permit to do foundation termite work, which is very common after a termite inspection, why does the Planning Department get a big portion of that fee?

Mr. Sweeney stated that would have to go under Planning Review, probably on the first floor, straight over the counter.

Commissioner Murphy asked if Mr. Sweeney could do a little research to come up with a more definitive answer.

- 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 regularly scheduled meeting is October 19, 2011.

Commissioner Walker requested that there be an update on CAPSS perhaps by Laurence Kornfield.

10. Review and approval of the minutes of the Regular Meeting of February 16, 2011.

Commissioner Walker made a motion, seconded by Commissioner Mar to approve the February 16, 2011 minutes. The motion carried unanimously.

RESOLUTION NO. BIC 024-11

11. Review and approval of the minutes of the Regular Meeting of March 16, 2011.

Commissioner Murphy made a motion, seconded by Commissioner Hechanova to approve the March 16, 2011 minutes. The motion carried unanimously.

RESOLUTION NO. BIC 025-11

12. Adjournment.

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

The meeting was adjourned at 1:13 p.m.

RESOLUTION NO. BIC 026-11

Respectfully submitted,

Sonya Harris
Commission Secretary

SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS	
Update on Q-Matic and looking at the data in case the BIC can go to the Mayor's Office to ask for more staff. – Mar	Page 14
Research question of why Planning Department receives fee for foundation/termite work. – Murphy	Page 15
Update on CAPSS Program. – Walker	Page 15