



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

REGULAR MEETING

Wednesday, November 21, 2012 at 9:30 a.m.

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

Aired Live on SFGTV Channel 78

ADOPTED January 16, 2013

MINUTES

The regular meeting of the Building Inspection Commission was called to order at 10:30 a.m. by President McCarthy.

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

COMMISSION MEMBERS PRESENT:

Angus McCarthy, **President**
Frank Lee, **Commissioner**
James McCray, **Commissioner**
Debra Walker, **Commissioner**
Sonya Harris, **Secretary**

Warren Mar, **Vice-President**
Kevin Clinch, **Commissioner**
Myrna Melgar, **Commissioner, excused**

D.B.I. REPRESENTATIVES:

Tom Hui, **Acting Director**
Edward Sweeney, **Acting Deputy Director, Permit Services**
Pamela Levin, **Deputy Director, Administrative Services**
Dan Lowrey, **Acting Deputy Director, Inspection Services**
William Strawn, **Communications Manager**
Kirk Means, **Building Inspector/ Acting Supervisor Technical Services**
Hema Nekkanti, **IS Project Director**

CITY ATTORNEY REPRESENTATIVE

John Malamut, **Deputy City Attorney**

2. President's Announcements.

President McCarthy wished everyone a Happy Thanksgiving and welcomed back Secretary Aherne. President McCarthy said the Director signed an Emergency Demolition Order following a 2-alarm fire at 42 Fernwood Drive. President McCarthy stated that Mayor Lee praised the Department for its important contributions to the success of green and sustainable buildings in an Opinion Editorial published in the *S.F. Examiner* on November 13th. The editorial coincided with the City's welcome to thousands of professionals from around the world attending the Greenbuild conference. President McCarthy said that Deputy Director Ed Sweeney and Chief Electrical Inspector Ron Allen met with and assisted contractors and the owner's representative last week for repairs under way at 345 West Portal. President McCarthy also acknowledged customer

appreciation of Building Inspector Adwin Lau, who was praised for “going beyond the call of duty” when ensuring that special inspections are completed in a timely manner.

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

Mr. Henry Karnilowicz stated that currently Building Inspectors cannot park their cars in yellow, white, or green zones so they have to park blocks away which creates a delay in inspections and actually costs the City more money and time. Mr. Karnilowicz said if Inspectors park in those zones they get issued tickets that they are liable for. Mr. Karnilowicz stated that it does not make sense that a City agency has to pay those tickets, so perhaps this could be discussed at a later meeting.

Mr. Tom Harvey, Fire Marshal, said that this meeting was on his calendar for a few months and he finally made it. Mr. Harvey thanked Director Hui for inviting him to a Code discussion from a building association which they talked about a big issue regarding single family homes, and through collaborative review of the Code they found out that the State made a mistake in the amendment which was a huge deal for one and two-family homes. Mr. Harvey said they are trying to get more Code consistency and give out better examples especially concerning residential properties where they are adding a floor of residential occupancy or they are going to be changing the use from a garage to residential. Mr. Harvey stated that the Fire and Building Departments have to be coordinated in their reviews, and he mentioned item 4 regarding the umbrella permit for High-rise building sprinklers and said that DBI staff has worked with Fire on this issue so they are on board also.

Mr. Robert Davis stated that he lives in the Bayview District, 94124 and he was at the meeting to get an update on some items: One is an Emergency Demolition Order that was signed on August 7th for a property on the corner of Thornton and 3rd Street in the Bayview: The properties are still there and he understands the Department is working on them but they would like to get the buildings knocked down. The second one is 4801 - 3rd Street and there is a long history about this building: There was a Director’s Hearing posted for 11/06/12 but that has been postponed until January and he was hoping to get this back on everybody’s radar. Mr. Davis said he would like to get information about open Director’s Hearings, open Notices of Violation, and information about the Q-Matic software along with an update on 1881 Oakdale Street which was the house that caught on fire in March. Mr. Davis said the house has been sold and he was hoping DBI would help the owners get their permits, get the building knocked down, and get it rebuilt.

4. Discussion and possible action regarding a proposed Administrative Bulletin AB-105, *Voluntary Sprinkler Protection for Existing High-rise Buildings*, which provides for an administrative permit to document sprinkler protection of existing buildings that are completely sprinklered but not required to be sprinklered.

Kirk Means of the Technical Services Division gave a presentation on Administrative Bulletin AB-105 and discussed the following items:

- Through the tireless efforts of Jerry Cunningham, Fire Protection Engineer, who has been on the Code Advisory Committee for over 15 years, he has put together this Administrative Bulletin that will give great opportunities to customers.

- AB-105 is a voluntary process for documenting a fully-sprinklered building.
- Many high-rise buildings in San Francisco were built without sprinklers over the years, because it was not required until the 1970s.
- In 1993 S.F. passed a mandatory ordinance to retrofit certain types of high-rise buildings with sprinklers. This covered commercial buildings and hotels, but did not cover pre-1974 high-rise apartment buildings, condos, historic buildings, or mixed-use buildings with residential occupancies.
- Some of the above mentioned buildings did not require sprinklers, but have added them for their benefit.
- The mandatory buildings were given many years to comply, so they added sprinklers to the part of the building that they were retrofitting: They may have done 1st and 3rd floors one year and 2nd and 4th floors the next. This made it hard to tell when a building was in compliance or fully-sprinklered.
- An umbrella permit was devised to look at the permit history and determine that all areas of the building were done, and after the permit was finalized then the building was in compliance with the ordinance.
- Current codes allow various concessions for sprinklers, such as reduced separation, de-rated corridors, and additional stories.
- When customers come to DBI to pull a permit and the plan checker reviews the plans, they may ask if the building is fully-sprinklered and if so then they may be required to prove it, so AB-105 will help them to do so.
- Process is the Fire Protection Engineer sits down with the applicant in a pre-application meeting to go over what is required and answer all questions, then he gets a permit history and then walks through the building to make sure all the areas are protected. If there are areas that need to be protected he advises the owner that they would have to sprinker it before getting a permit. Once all areas are done then the Fire Protection Engineer submits a report that is reviewed by Fire and Building, and then an administrative permit is issued because there was no actual work done. The owner calls for a final building inspection and then it is signed off and they have a permit that says the building is fully sprinklered, and this is submitted to the Plan Checker.

Commissioner's & Staff Question & Answer Discussion:

- Commissioner Walker asked since they go back to the 1970s if he knew how tall the buildings are? Mr. Means said 75 feet or higher.
- Commissioner Walker said regarding new construction there were some adjustments made to elevators, and she asked if those are being looked at?
- Fire Marshal, Tom Harvey, said that Commissioner Walker was referring to a fire service elevator and that would not be covered at all by this Administrative Bulletin. The average height of the buildings would be between 8 to 20 stories.
- Commissioner Lee asked how many buildings would fall into this category?
- Mr. Harvey said there are over 500 high-rise buildings, but those that are residential or historical or those that were not required by the ordinance are about 100.
- Commissioner Lee asked if all of the buildings have voluntarily added sprinklers?
- Mr. Harvey said some of them have, but not all – They usually add sprinklers when they retrofit the building.

- President McCarthy asked if most of the people DBI has dealt with are homeowner associations? Mr. Means said building owners are the benefactors.
- Vice-President Mar asked if there have been follow-up inspections for the systems that have been put in?
- Mr. Harvey said once the system has been put in there are routine inspections that are part of the Fire department's annual inspection program, so there are few ways they make sure the pumps are working and so on and there are also state required 5-year certifications.
- Mr. Harvey said regarding apartments and condos, most of the condos are newer and converted over so he thinks most that would use this bulletin are apartment buildings.
- Commissioner Lee said this bulletin is to document which buildings have voluntarily added sprinklers – He asked if there was any other encouragement for building owners to add sprinklers?
- Mr. Harvey said no there are not really any rewards, but they would know all of the buildings that were sprinklered through the 1993 retrofit ordinance: The numbers are documented, but he did not plan to speak on this today.
- Mr. Harvey said AB-105 is basically a better way to help any designer to get through the process.

Secretary Aherne called for public comment and there was none.

Commissioner Walker made a motion, seconded by Commissioner Lee to approve Administrative Bulletin AB-105, Voluntary Sprinkler Protection for Existing High-rise Buildings.

Secretary Aherne called a roll call vote:

President McCarthy	Yes
Vice-President Mar	Yes
Commissioner Clinch	Yes
Commissioner Lee	Yes
Commissioner McCray	Yes
Commissioner Walker	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 050-12

5. Discussion on progress of recruitment for executive search firm regarding hiring of a permanent Director for the Department.

President McCarthy stated that the Commissioners were just given a handout and he would like to give a road map as to how the process has gone: There is good news because two months ago there were five vendors who applied: Alliance Resources, Bob Murray & Associates, The Mercer Group, Ralph Anderson & Associates, and Affion Public. President McCarthy thanked Ted Yamasaki and his staff at the Department of Human Resources, along with Deputy Director Pamela Levin for helping him through the process. President McCarthy stated that using their

expertise and opinions they came up with a formula for how to evaluate the search firms by using a point system, asking certain questions about each vendor's qualifications and from this President McCarthy did his own analogy. He said the goal is to short list this to three vendors, so now he would like to turn the presentation over to Ted Yamasaki because he asked him to evaluate the vendors as well and come up with a 1, 2, 3 list. After Mr. Yamasaki's presentation he would like the Commission to give Mr. Yamasaki direction to go back with the list of three vendors and vet them, then at the next meeting the BIC could make a final conclusion.

Mr. Ted Yamasaki, Managing Deputy Director at the Department of Human Resources, introduced himself along with Anna Viaspis, Manager of Recruitment and Selection Services. Mr. Yamasaki's presentation addressed the following points:

- 1-page grid has the proposals as well as some of the categories DHR looked at, but they do not have a recommendation on a specific vendor that the Commission should go with.
- DHR recommends that the BIC takes into consideration the most important piece of recruitment/selection, which is the contractor's proven experience or success in recruitment of their positions.
- Three vendors have significant experience in doing recruitment similar to what the BIC is looking for in California: Alliance Resources, Bob Murray & Associates, and Ralph Anderson & Associates.
- Mr. Yamasaki is familiar with all three vendors, and he has personally worked with Bob Murray & Ralph Anderson on other recruitments throughout the City & County of San Francisco.
- All three contractors have done similar work outside of the State of California.
- Identified what kind of experience the contractors have in working with the public sector: They have 14, 25, and 33 years of experience respectively.
- As far as cost, Alliance came in at the low end with a recruitment cost of \$17,500 and Ralph Anderson & Associates came in at the higher end of \$40,000 + expenses.
- If DHR was challenged today with making a recommendation on a short list they would ask that the Commission allows them, particularly Ms. Viaspis, to go in and do the vetting of the proposals.
- DHR wants to make sure they understand a reference perspective of how cooperative the vendor has been in working with the specific needs of the hiring authority, how flexible they were in meeting the timelines, how satisfied the clients were in the actual identification of finalists.
- The goal in using a contractor is to have them provide highly qualified candidates from which they can make their selection.
- DHR's role in all of this, as requested by Director Micki Callahan, is to be the facilitator that the Commission can rely on along with the professional consultant to find viable candidates.
- Ms. Viaspis and Mr. Yamasaki will assist the BIC in making sure that the contractor delivers on expectations defined in the contract, they stay on schedule, and ultimately provide the things that they agreed to.

Commissioner's & Staff Question & Answer Discussion:

- Commissioner Walker said that she appreciates where the Commission is in the process, and wants to move this forward.

- Commissioner Lee asked what is the next step? Mr. Yamasaki recommends that the BIC allows them to do some vetting of the proposals, and once that is completed they would communicate with President McCarthy to let him know any findings that are outside of the norm. It would be in their collective interest to begin the contracting process as soon as a decision is made on a selected vendor. Mr. Yamasaki said he is uncertain as to how the BIC would like to get to the point of selecting a vendor, but as soon as this is done DHR would work with DBI to do the contracting of the actual documentation of services rendered and cost – It is only at that point that they can begin the actual process of recruitment.
- Commissioner Lee asked if there would be an opportunity for all of the Commissioners to speak with the semi-finalists or have a presentation from them? Mr. Yamasaki said that it is the BIC's choice, but all of the vendors actually come from a pre-vetted list that DHR and the Controller's Office has established, so they recognize that these vendors are all professionals in their field. If the BIC prefers for them to come in, DHR can arrange it but it would delay the process significantly.
- Commissioner Walker said that she was comfortable with what the BIC did in the past, which is to take the recommendation of DHR and the President. It would be good to move along the top three and have it 'whittled down'. The previous selected vendor involved all the Commissioners in the process and interviewed them individually about their concerns, and once they found candidates all of the BIC interviewed them.
- Commissioner Lee offered a comment to include when DHR is negotiating with the semi-finalists: Sheet mentions the vendor would re-do the search process if the selected candidate does not work out in the first year or two – Can DHR make sure that this includes if the candidate leaves voluntarily instead of just if the BIC fires them.
- Mr. Yamasaki said DHR would definitely make sure that the above statement is included.
- Ms. Viaspis said she believes the language is already included in some of the proposals.
- President McCarthy said the Commissioners can take home the proposals of the contractors that he and Deputy Director Levin worked on, and read through it and do their own evaluation of the top two. He said he is glad that DHR will vet the contractors.
- President McCarthy discussed the timeframe and asked about the next meeting which Secretary Aherne said was December 19th. He asked if the Commissioners needed until December or January to make their decision.
- Mr. Yamasaki said DHR would prefer to move the process along quickly, and vendors would be interested if they knew they were on a short list. Also, it would be best if they could come back in December with the final vetting depending on how the BIC wants to do the selection.
- President McCarthy asked Deputy City Attorney John Malamut when the Commission comes to a conclusion and are picking the candidate is that a Closed Session item?
- Deputy City Attorney Malamut said that it was an Open Session item.
- President McCarthy clarified that he was referring to the vendor, not the actual candidate.
- President McCarthy said if all of the Commissioners were o.k. with it, he would recommend that Mr. Yamasaki vet the vendors, and come back to the December meeting for a vote.
- Commissioner McCray asked if DHR was vetting all five vendors or just the three that were highlighted?
- Mr. Yamasaki said it is at the Commission's discretion, but they recommend that the BIC

vet the three that have the closest skill set necessary for a successful recruitment but if the Commission wants DHR can vet them all.

- President McCarthy said that he would like the Commissioners to short-list the firms so that the process would be easier.
- Commissioner Walker said she would recommend that DHR vets the three firms in yellow, so the BIC could make a selection at the December meeting.
- Commissioner McCray said when DHR is vetting the firms, he would also like information on their staff. He also mentioned that the Mayor just announced the Warriors are coming to town, and he would like to know how they are going to employ folks when they do business in our town.
- Mr. Yamasaki asked if Commissioner McCray wanted to know their staff profile or who was going to be assigned to the project.
- Commissioner McCray said yes he was interested in who was going to be assigned to the project, and how their back office works.

Secretary Aherne called for public comment.

Mr. Henry Karnilowicz, a member of SFCRG, stated that he is glad the BIC is doing the search but since Acting Director Tom Hui has been leading the Department things have really been coming along. Mr. Karnilowicz said he is a frequent customer and has nothing but praise for Tom Hui and he thought the Commission would consider him for the position. He understands that the BIC wants to do a search, but it is good to have someone that knows what is going on and makes the Department run as well as it does. It has been a long time since DBI has had a well-oiled and well-running Department. He also hopes Q-Matic isn't brought back because as a frequent customer he does not see long lines like before, and the supervisors come out and manage the customers to make sure everyone is being helped.

6. Director's Report.

a. Update on DBI's finances.

Deputy Director of Administrative Services, Pamela Levin, gave an update on DBI's finances and addressed the following items:

- 33.3% of the year of the fiscal year has passed and it is still early to do any projections of where the Department is going to be at the end of the year.
- There are variables that are going to affect the ability of DBI customers to do some of their improvements.
- Staff is projecting to end the year at \$7M which includes \$5M in revenue, and \$2M in expenditures.
- Compared to last year DBI is actually up 37% in revenues, and the majority of the increases of issued permits occur between the ranges of \$10,000 to \$1M.
- A lot of the impact fees are being paid now that were incurred in 2005, since people are finishing up their projects either because of the economy or just that it has taken a long time to get through the full process.
- DBI has not seen any of the revenue yet for the apartment and hotel license fees, because that is not due until December 10th.
- Investment and other small types of revenues are between \$100K to \$200K.

- In terms of expenses, a good part of the budget is for personnel, and at this point DBI has spent about 29% of the salaries and fringe budget.
- DBI is trying to get people on staff and has some new hires that have occurred since the last meeting – A majority of them are Proposition F. There are 3 Prop F positions including 2 Electrical Inspectors and a Senior Engineer. There are also 3 people that have been placed at DBI for disability placements or from the Redevelopment Agency.
- Testing has been done for Building Inspector, Senior Inspector, and Chief Building Inspector, so the Department hopes to have people hired in January. Also, staff is working with the Union for the Housing Inspector test.
- Staff is working on interviewing Engineers, and there are 14 clerks that staff is ready to interview and are targeting the first week in December. There are 11 and there were 13 vacancies, but two were filled by the process of placement for ADA reasons. One position will be on the sixth floor to replace Jackie Hubbard, and have someone to work with Carolyn.
- DBI is tracking expenses greater than last year and there have been more bills for work orders earlier in the year. The Department has increased its training budget, Non-Personal Services.
- Community-based organizations, such as CEOP and the SRO collaborative are billing more regularly.

Commissioner's & Staff Question & Answer Discussion:

- Acting Director Hui said he had one correction regarding the Senior Building Inspector exam, because that has not occurred yet since they are still searching for panel members.
- Commissioner Mar asked if DBI was also testing for Electrical Inspectors? Mr. Hui said the announcement is out, but the testing has not been done yet.
- Mr. Hui said DBI is still working with the Mayor's Office and the union to resolve any problems with the Housing Inspector exam, before it is posted.
- Ms. Levin stated for several years DBI has been talking about getting Permit Technicians 1, 2, and 3 so the Department has a paraprofessional career path for its clerks and they would have a situation where they could not be bumped by other departments, because these are specialized types of job skills. DBI is pretty far along and are ready to forward this to the unions to review, so when the next group of middle level clerks is hired it would be with the intent of hiring them in the new classification.
- Ms. Levin said the budget process will be starting very soon.

Secretary Aherne called for public comment, and there was none.

b. Update on proposed legislation.

Mr. Bill Strawn of Legislative & Public Affairs gave an update on proposed legislation and discussed the following points:

- **Ordinance No. 120959 – Permit Extension/Expiration Code & fee amendments.** The Land Use Committee was going to hear this next Monday but are postponing it probably to the first week of December, and a follow-up vote by the Board and a recommendation would occur sometime in January.

- **Ordinance No. 120299 – Extending restrictions of the Apartment Conversion Ordinance to business-sponsored short-term occupancies/enforcement by DBI.** This ordinance has passed and was sponsored by Supervisor Chiu and the Mayor signed it, so it will actually become law November 30th. Supervisor Chiu and his staff are still talking to Rosemary Bosque and DBI staff shared the housing element. There will be a registration list that DBI will create and sustain that actually adds an administrative burden to the Department.
- **120191- Redefine Efficiency Units.** The efficiency unit legislation passed its first reading yesterday, and those new units would be capped at a total of 375 and a certain amount of rigorous reporting would be required, so there are a lot of folks concerned about what this will mean for housing.

President McCarthy asked if the BIC would have a chance to look at it before it gets fully vetted or supported, and if the 375 changes after so many years? Mr. Strawn said he thinks it is subject to modification.

Commissioner Walker asked if it was an annual or a full cap? Mr. Strawn said The Planning staff did not like this idea and wanted it to be a market-driven element, but the Commission did not agree and neither did the Board so they are taking a wait and see attitude about this.

Commissioner Mar asked when the first request comes for the efficiency units and it goes to Planning, who gets the 375? Mr. Strawn said he did not know if they have completely worked out those details.

President McCarthy asked if the cap applied to legitimate student housing? Mr. Strawn said there is no cap because it is a separate category.

Acting Director Hui said that the Department has not experienced this type of ordinance before, so he has no idea of what to expect, since it is completely different staff does not know how much involvement they would have.

c. Update on Permit Tracking System.

Ms. Hema Nekkanti, IS Project Director, gave an update on the Permit Tracking System and stated that analysis began on the Accela Citizen Access, which is actually the web portal which was reported at the last meeting. Staff is scheduled next week to meet with Commission representatives from Planning and DBI. This meeting would be to discuss the purpose of the advisory group, the makeup of the group, and the agenda going forward. Ms. Nekkanti said that staff is continuing with the built phase of the system and analysis has begun on interfaces, the reports, as well as the data conversion. The next milestone is the User Acceptance and the kickoff occurred last week, and they have identified the User Acceptance Testing (UAT) leads. The leads will be coordinating with their staff, experts in testing, and staff will be creating test scripts and test scenarios moving forward, and the UAT will start in the beginning of January.

Commissioner Walker asked if someone on the Commission going to be on the Advisory Group? Commissioner McCarthy said yes, someone will be asked to do that in January.

President McCarthy asked if the Department would have strong representation of somebody from Plan Check at DBI? Ms. Nekkanti stated that this is an advisory group from the public, but DBI

employees will all be there from their respective function areas. President McCarthy stated that Ms. Nekkanti and staff will take recommendations from the Citizen Advisory group so his concern is that there is strong representation from the Plan Check side of things on this system. President McCarthy asked if there was going to be somebody there from Planning on this committee? Ms. Nekkanti said yes absolutely, 50/50 between both departments. President McCarthy said he wants to make sure because DBI and Planning are two different worlds sometimes.

d. Update on other technology projects.

Ms. Nekkanti gave an update on other technology projects and said the email delivery support for 3R applications has been implemented. Regarding the cashiering system, they are testing for the configuration for DBI and the cashiering unit is getting ready to be installed for the training that is to come in the next few weeks. Ms. Nekkanti said the drawings are complete for the server room project, and getting ready to be issued which means construction will start soon during the week of the 26th.

e. Update on Q-Matic.

Acting Director Hui said that he appreciates the Commission giving him time to respond to their comments, and an Ad-hoc BPR committee has finally been formed to look at the Q-Matic system. Mr. Hui stated that according to the report all of the committee members think that this system is not suitable for all of the plan check and cashier functions. Mr. Hui said compared to usage by other departments, such as the DMV they are simple one floor operations, as opposed to DBI that has higher functions making it hard to operate within the Q-Matic system. Mr. Hui said that Ms. Nekkanti and the MIS Division are looking at other systems that may possibly be suitable for DBI in the future, including plan check and permit processing. Mr. Hui stated if the Department invites the vendor, Q-Matic, to come in then DBI would have to pay for their service since the contract has already ended.

Commissioner Mar said that one of the reasons he put this item back on the agenda was not just to revisit the whole Q-Matic, but one of the reasons the system was even implemented was that the BIC wanted an open and fair process so everybody who was trying to come in to get a permit, especially going through plan check – It would be a seamless way for them to get it without the possibility of favoritism. Commissioner Mar said he understands there were some technical glitches, but he wanted to know what they were, what happened, and why the system did not work. He has been to a lot of meetings where professionals have spoken in public comment about how they think everything is going great right now, but whether they are contractors or expeditors who come in the Department they know the system and even know the staff. Commissioner Mar stated they can “work the system” so he is worried about the homeowner who comes in and does not know anything or maybe they come in with an architect or a contractor trying to pull a permit, and they do not know who’s who or who to ask for. The concern is if there is a way people can come in and not have to know somebody. One of the expeditors that spoke previously during public comment said one of the things she liked about going back to the old way, was she liked to pick her plan checkers and that was part of the service she offered her clients, because she knew everybody. If she wanted to get plans back fast she signed each clipboard, but she knew she wanted a particular guy. Commissioner Mar said he wants DBI to try to have a system – not called Q-Matic – that when customers go to the fifth floor everybody cues in, everybody is in line, and if

they have to come to Ed's desk for example, that is who they are going to get and they cannot wait for Warren who is the "softie" but they have to go to whoever is open.

Deputy Director Sweeney stated that DBI has services to help people that are coming to DBI for the first time which is located on the first floor. The policy is if customers know what they are doing they do not have to stop there, but everybody has to go to intake. The only people that do not go to intake are the no plans people, the people doing windows or roofs – It is not just contractors or expeditors. Mr. Sweeney said that DBI has a pretty good system and when staff is hired, he would like to put a Building Inspector in place to QC plans. One of the problems is everybody wants to go over the counter, yet not everybody can so a lot of people get creative about it so staff would like somebody in place, for one to train staff and for two to establish the limits of when something can be over the counter and when it has to go into intake. Mr. Sweeney said the Department is always fine tuning and are considering doing spreadsheets for the clipboards and copying them every evening, and putting them into the system so staff knows if there is inappropriate contact between a plan checker and a certain expeditor. Mr. Sweeney stated that DBI is constantly fine tuning and trying to keep a transparent system.

Commissioner Mar said that is great and those are really good ideas, and it would be great if some of those things were known so that there is a kind of a checks and balance type system.

Acting Director Hui said he believes it is his job to make sure all the plan checkers apply the Code uniformly and consistently, so that is why they have all the Code discussions to come up with everything in writing, in light of the information sheet. Mr. Hui said everybody applies it the same, and lots of times individuals have their opinions and some people like to hold the Code so straight so that is why customers may not want to go to them. Mr. Hui stated that the Department makes the correction to try to balance things out and takes time to educate and train the staff: There may be an ADA Training coming up at the end of this month or early next month. Mr. Hui said that he and Mr. Sweeney both walk the fifth floor to make sure the plan check staff is helping customers uniformly and not nitpicking with them. They also try to help the small businesses, homeowners, and small contractors which is why DBI opens earlier at 7:30 a.m. so that hopefully they can come in to get things done. Mr. Hui said staff is open to suggestions to see how DBI can improve, but as for the Q-Matic system it does not work even though unfortunately money has been invested in it – Sometimes you have to "bite the bullet" and move forward.

Commissioner Walker stated that she really likes the suggestions just to get a sense of what is going on. The concern that led the Commission down this path was making sure DBI provides equal service to everybody, which is really the main goal. Commissioner Walker asked if DBI could resell the Q-Matic system?

Deputy Director Levin said the Department could certainly put out feelers to see if anybody would want to purchase it, but DBI may have to go through the City process of disposing of the equipment since it is a City asset. Ms. Levin said staff will explore this option, and let the BIC know.

Commissioner Lee said he understands that DBI is trying to be transparent and keep the favoritism ideas away, but there is a flip side to having transparency. For example, if they find all the clients are going to Ed maybe he is just very responsive and if he is very good with people in that case

management should say why isn't the rest of the staff as responsive. – This is a management tool for the Director, to place the right people or have them trained and educated on how to do their job.

President McCarthy said that he concurred with everybody and obviously the main concern is transparency, and some of the Commissioners have recently gone to DBI and have seen great improvements. The BIC encourages people to say if they have complaints that they are not getting service to come attend the meetings, and they will address it. Q-Matic was a good step forward and an effort but it just does not work – The reality of it is that the committee came to that conclusion very comprehensively, so everyone has to accept it and “divorce the love affair from Q-Matic” and try to figure out if there is another husband for it somewhere else. DBI has to be very consistent with making sure everybody gets treated fairly and if the public has concerns please bring them to the BIC and they will address them with management. President McCarthy stated that DBI has some good Deputy Directors with good leadership, and everybody wants to do the right thing.

President McCarthy called for public comment.

Mr. Bob Noelke said that he can only echo what President McCarthy has said, and he thinks he is 100% right. Mr. Noelke stated that he uses the system regularly on the fifth floor and it is smooth, works really well, and the staff is wonderful. Deputy Director Sweeney watches things along with Acting Director Hui and things are working well. Mr. Noelke said he thinks Q-Matic is an expense to maintain over time, and the clipboards work just fine. He is a small guy and if he is assigned someone to go see then he sees that person which is the way it works – It seems to be very fair and uniform.

7. 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 McCray asked Acting Director Hui what is the process for the Department to file a report to de-commission Q-Matic, and could this be brought back to the next meeting.

Commissioner McCray said it would be good to make sure everything is legal, so they can be done with it.

- 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 Aherne stated that the next meeting would be on December 19th.

Commissioner Walker said that she would like to get an update regarding the CAPSS recommendations to the Mayor's Office, and where we stand on soft-story issues.

President McCarthy asked who would be giving the report, and Commissioner Walker said staff could ask the new Director Patrick Otellini.

Commissioner Lee gave a brief informational report on the Nominations Sub-Committee and said that the Nominations Sub-Committee met last week which consists of him, Commissioner Melgar, and Commissioner Mar. They reviewed the seats on the three commissions that they appoint members to: The Access Appeals Commission, The Board of Examiners, and The Code Advisory Committee. There are three vacancies that need to be filled immediately and they are going to be looking to fill those seats in the early part of 2013, and announcements to fill those vacancies will come out soon and they expect resumes to be submitted to Sonya Harris, Commission Secretary, by the end of January. Commissioner Lee said the seats that are open are: Registered Electrical Engineer and Licensed Architect for the Board of Examiners. Also for the Code Advisory Committee they are hoping to fill one vacancy of a Commercial Property Owner/Manager.

Deputy City Attorney Malamut stated those seats would be coming to the full Commission for a future agenda.

President McCarthy & Commissioner Lee clarified that the vacancies would be advertised, and then the Nominations Sub-Committee would make recommendations. Commissioner Lee said the announcement would also be posted on the DBI website, and they are hoping to close the application/resume period by the end of January and will probably review the applications in February and make recommendations to the full Commission after that. President McCarthy asked if the outreach was done through the website, and Commissioner Lee said there is a host of different ways.

Secretary Aherne suggested that if any of the Commissioners know of anybody who is interested to refer them, as it is usually through word of mouth or people that you know who are qualified – It is really a good help if Commissioners could do outreach to their constituents.

Commissioner Lee said he asked Secretary Harris to let the Nominations Sub-Committee members know when the announcement is posted, so that they could refer people to the website or pull the information to give to anyone that is interested.

Commissioner Walker said that she would like to agendize a Closed Session item to give the full Commission an update on the Litigation Committee. President McCarthy and Commissioner Walker concurred that it would be a good idea to have the Department's Code Enforcement representative, Deputy City Attorney Yvonne Mere, to present the item. Commissioner Walker said currently the Litigation Committee meets every other month, and advises staff but the rest of the Commission does not really know what is going on.

Secretary Aherne called for public comment and there was none.

8. Review and approval of the minutes of the Regular Meeting of August 15, 2012.

Commissioner McCray made a motion, seconded by Commissioner Walker, to approve the minutes of the Regular Meeting of August 15, 2012.

Secretary Aherne called for public comment and there was none.

The motion carried unanimously.

RESOLUTION NO. BIC 051-12

9. Review and approval of the minutes of the Regular Meeting of September 19, 2012.

Commissioner Lee made a motion, seconded by Commissioner Walker, to approve the minutes of the Regular Meeting of September 19, 2012.

Secretary Aherne called for public comment and there was none.

The motion carried unanimously.

RESOLUTION NO. BIC 052-12

10. Adjournment.

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

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

RESOLUTION NO. BIC 053-12

Respectfully submitted,

Sonya Harris
Commission Secretary

SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS	
Explore the option of whether or not another department would like to purchase the Q-Matic system. – Levin	Page 11
Staff to find out the process of filing a report to de-commission the Q-Matic system.	Page 12

Update on CAPSS recommendations to the Mayor’s Office. – Walker	Page 12
Closed Session update on the Litigation Committee. – Walker	Page 13