



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

**REGULAR MEETING**

**Wednesday, May 18, 2011 at 9:45 a.m.**

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

**Aired Live on SFGTV Channel 78**

**ADOPTED November 16, 2011**

**MINUTES**

The regular meeting of the Building Inspection Commission was called to order at 10:20 a.m. by Vice-President Mar.

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

**COMMISSION MEMBERS PRESENT:**

Reuben Hechanova, **President, excused**

Kevin Clinch, **Commissioner**

Criss Romero, **Commissioner, excused**

Debra Walker, **Commissioner**

Ann Aherne, **Commission 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**

Tony Grieco, **Acting Chief Building Inspector**

Steve Panelli, **Chief Plumbing Inspector**

Sonya Harris, **Secretary**

**CITY ATTORNEY REPRESENTATIVE**

John Malamut, **Deputy City Attorney**

**2. President's Announcement.**

Vice-President Mar had no President's announcements.

**3. Update on DBI's Integration with the City's Earthquake Preparedness Policies, Plans and Procedures.**

Mr. Tony Grieco, Acting Chief Building Inspector, stated that he has a brief update for the Commission and he said as requested last month by President Hechanova he would like to provide a tentative time table for the plan, and it will be adjusted as needed. Mr. Grieco said that their primary focus right now is the DBI staff, and the Disaster Coordination Unit (DCU) would

like to focus on preparation, education, and training. Mr. Grieco stated that the goal is to ensure the health and safety of the staff at work and ensure their ability to perform their disaster response duties effectively integrated with other departments. Mr. Grieco said that he has the initial work plan that was drafted and he put some time lines on it, and he could go through the work plan if the Commissioners wanted to pick out anything that they notice and that could be discussed as well. Mr. Grieco stated that the DCU has tried to be realistic and reasonable in the timeframe given the amount of projects and objectives that are ahead of the Department, and through the prioritization process they have made some good improvements in the last 60 days. Mr. Grieco asked if the BIC had any questions.

**Commissioner's/Staff Question & Answer Discussion:**

- Commissioner Murphy asked what does the disaster service training consist of? Mr. Grieco said that all city workers are disaster service workers and would be required to respond in an emergency or disaster.
- Mr. Grieco said that it involves going over the charter that requires that as well as some personal preparedness information.
- Mr. Grieco stated that through the Department of Emergency Management and Human Resources there is a video that is essentially a protocol of what city workers' responsibilities would be in the event of an emergency or disaster.
- Commissioner Murphy asked if this was a refresher course? Mr. Grieco said yes and depending on when the event happens and what type decides what action employees would take, the protocol, to call, and where to go.
- Commissioner Murphy asked if it means that all employees of DBI would have to report somewhere. Mr. Grieco said yes, with all departments, staff would be designated as more essential personnel for pre-designated assignments and everybody would have an assignment.
- Mr. Grieco stated that with all departments, staff would be designated as more essential personnel for pre-designated assignments, and everybody would have a badge and an assignment.
- Commissioner Lee asked if there has been a discussion about public information about these trainings, and he asked when DBI would roll out public information? Mr. Grieco stated that in terms of public outreach the DCU plans on doing more of that throughout the year as we would get the program further along.
- Mr. Grieco said that he thinks the Department of Emergency Management is coordinating a lot of that and will determine when the DCU does any kind of public outreach, and they will provide handouts and some information.
- Mr. Grieco stated that at this point, the DCU is more focused on DBI staff and the Department's response requirements under the strategic plan with Public Works.
- Commissioner Lee asked where is central essential staff needed? Mr. Grieco said 1660 Mission Street, and they have a timetable and training is one of the primary focuses.
- Mr. Grieco said that the DCU is planning on regular meetings with the work groups and other city departments on a regular basis, and different departments share in some tabletop exercises dealing with planning for all types of events whether it is a planned event, such as someone coming or arriving, or an unplanned event, whether it is simple or complex. In general, they try to be pretty aggressive on the timelines and he wants to show some productivity and accomplishments over the period of time. A lot of information is in the

process of being renewed and written in terms of the plans and protocols and that is really motivated by total coordination from all the city departments.

Vice-President Mar called for public comment on Item 3. There was no public comment.

**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 stated that he was a 30-year resident of San Francisco and he would like to read a prepared statement. Mr. Gosch said that he would like to begin by thanking President Hechanova for stopping by the Department and meeting some of the staff and offering Easter greetings, and he has also had the distinct pleasure of seeing Commissioner Walker and Commissioner Murphy at the Department and he appreciates their interest and participation and he encourages all the Commissioners to do the same. Mr. Gosch stated that he first came before the Commission two months ago and made two inquiries: One regarding an additional Deputy Director and how an additional Deputy Director was created in clear violation of the language of the proposition that created those positions. The other inquiry was a request to know how many signed or initialed directives to staff the Director has issued. Mr. Gosch said that he appeared one month ago to hear the result of those inquiries and nothing had been done, and he subsequently accused the Director of malfeasance for failure to provide written directives to staff. Mr. Gosch stated that a Director who is not directing staff is clearly not fulfilling the functions required for her position, and he is here today to ask about his initial inquiries two months ago and he asked the BIC if they had any results. Mr. Gosch asked Vice-President Mar if he was in charge.

Vice-President Mar asked Mr. Gosch if he wanted to finish reading.

Mr. Gosch said that he had a question and maybe the Commission had addressed some of these items, but he would proceed. Mr. Gosch stated that he would be curious to know why there is no response. Mr. Gosch said that topic A is regarding Ms. Levin’s appointment and she has illegally attained her office in violation of the proposition that created the Deputy/Deputy Director positions, and additionally he reviewed the minutes of the Commission meeting of December 16, 2009 and the minutes state that the commissioners all agreed to make appointment for a Deputy Director of Administration. Mr. Gosch said that proposition G language states, “Subject to the approval of the Commission and the budgetary and fiscal conditions of the charter, the Director shall have the power to appoint or remove at his or her pleasure up to one Deputy Superintendent and no more than two Assistant Superintendents”, so the BIC has illegally appointed Ms. Levin and not the Director as is required to a position specifically not allowed by charter. Mr. Gosch requested that this issue be agendized for discussion with the requirement of participation of the City Attorney’s office, and quite frankly the Department does not need a Deputy Director for Administration since the Director is in charge of administration and should not need another Deputy Director on top of the other three that are provided. Mr. Gosch said that an additional request to the City Attorney as to why the specific language of proposition G that caused the creation of this Department, was not actually codified in the charter, and he believes that does not change the legality of the language – He is curious to know.

Vice-President Mar stated that he wanted to give Mr. Gosch as much time as needed but he would like him to finish up his comments, because it seems that his time is up. There was a brief back

and forth discussion about the number of minutes that were allowed.

Mr. Gosch stated that he would move on to the section about the Director's malfeasance, which is of course the more important topic and he previously said that Ms. Day has not been issuing directives to the staff and he thinks the problem goes further because he thinks she has verbally directed her subordinates to not put anything in writing.

Vice-President Mar asked Mr. Gosch if he could "get to the chase" and not proceed with personal attacks.

Commissioner Lee made a suggestion that maybe Mr. Gosch could have his statement printed for the commissioners and they could read it on their own time.

Commissioner Walker stated that the time for public comment has exceeded, and maybe in the future she would like to agendaize a City Attorney response to some of the items that Mr. Gosch was talking about.

Mr. Gosch stated that he feels the BIC is trying to muffle his complaints about the Department and that is inappropriate. Mr. Gosch said that he would put the statement in writing and forward it for the Commission's review, and he hoped they would take it to heart because there is really good language in the statement and he would have liked to let everyone else know about it.

Ms. Nancy Wuerfel said that she understood that the Department of Building Inspection would be changing its name to the Department of Building Safety, and she heartily endorses this change in name and focus for the Department. Ms. Wuerfel stated that if the name change is to be anything substantive, there must be a serious commitment to the Department's enforcement of the Building Code. Ms. Wuerfel said that while the Department is re-named she requests that DBI also create procedures to respond quickly to urgent complaints from the public, which would actually keep people safe. Ms. Wuerfel stated that case in point is the un-permitted excavation and demolition job that began Friday morning by her next door neighbor, a licensed contractor, who repeatedly performs work without permits accomplished with impunity. Ms. Wuerfel said that she immediately reported this un-permitted activity by phone to the DBI complaint line, to the District Inspector, and finally an email to Inspector Lowrey and Director Day. Ms. Wuerfel stated that no one got back to her or asked about the jack hammering that she referred to, and on Monday there was still no response from DBI so she called CAL/OSHA and they came right out and spent over an hour examining the six-foot deep excavation in the backyard, the forms, and discussed the project with the workers. Ms. Wuerfel said that the CAL/OSHA Inspector told her that he allowed concrete to be poured yesterday to make the site safer more quickly than just allowing the sandy hillside to remain restrained by wooden forms and they have not yet ruled on a violation. Ms. Wuerfel stated that after her third call to DBI, she saw a Building Inspector at the site but did not know what transpired other than the work continued yesterday. Ms. Wuerfel said that 17 hours after the cement was poured, the forms were off this morning and this project has moved at warp speed and there is no job card completed for this work because there is no permit, no plans, and no inspection. Ms. Wuerfel stated that DBI has no system of checks and balances to identify and then to stop rogue contractors who routinely work without permits or exceed the scope of permits that they do pull. Ms. Wuerfel asked how could a concerned citizen get the attention of the Building Inspection senior staff to put safety first, and questioned what words she must say in

a complaint to staff to get them to investigate immediately. Ms. Wuerfel stated that changing the Department's name is worthless if the Department's culture is not changed, and it should require all staff to uphold and enforce the Building Code equally, and that includes treating concerned citizens with the respect they deserve by requiring staff to acknowledge and to respond to their serious complaints. Ms. Wuerfel asked the Commissioners what they would do to change the issues in the Department, beyond just changing the Department's name. Ms. Wuerfel said that she just spoke to the Deputy Director and he informed her that the Department would be at the site today and would act, so she is very pleased to have the update for the BIC. Ms. Wuerfel stated that she would provide the Commission with copies of the email that she sent on Friday to initiate the investigation by the Department.

Mr. Joseph Butler stated that he has been a registered architect in California since 1983, and he is currently being renewed. Mr. Butler showed some pictures on the overhead projector and said that he would like to bring to the Commission's attention to the rear of 2514 – 23<sup>rd</sup> Avenue, which is the excavation for the stair in question that Ms. Wuerfel addressed. Mr. Butler stated that when you go down into the garage and look at the sunlight coming in from above, you could see that these 2 by 12's that were used for shoring – this is a vertical face of the wall and these are horizontal shoring mounts. Mr. Butler stated that there is no shoring plan for this excavation and no permit. Mr. Butler showed a list of the permits for this property and said the list shows permits that were suspended, cancelled, or expired and there has not been a completed permit since 1989. Mr. Butler stated that prior to that an illegal addition was added to the back of the house and Notices of Violation have been served, but Abatement Hearings never quite happened. Mr. Butler said that he thinks that the complaints are going into a round file, because he made one last year and has never been called to a hearing and there is a contractor who is working with impunity without permits. Mr. Butler stated that if CAL/OSHA cannot stop him and DBI cannot stop him then why should people even get permits, and Mr. Butler thinks it is easier to require him to get one than to figure out a way to make the city safe if no one has to get a permit. Mr. Butler asked if DBI could spend a little time so he does not have to come back in a month and tell the same story. Mr. Butler said that he has been retained by Ms. Wuerfel and has been working with her for more than a year, and he has never seen such a bad set of plans as what was submitted in 2010 by this building owner/contractor. Mr. Butler stated that the drawings were inconsistent from sheet to sheet and they were signed by an engineer who may or may not have ever seen the plans, because some of the plans were photocopied from an earlier set. Mr. Butler said that there is a problem at 23<sup>rd</sup> Avenue and the deeper you dig – while he digs – the more you might find out. Mr. Butler stated that it is too late for a “slap on the wrist” and this has been going on for nine years: The property was bought in 2002 and he immediately started structural work in the house. Mr. Butler said that the following work was done without permits: Kitchen work, new gas lines, a side sewer, and dormers. Mr. Butler stated that the Deputy Director stood on the deck which blocked the second means of egress from the basement of the house, and the one permit that was completed to put in a garage needed another means of egress that was blocked. Mr. Butler said that now they are trying to re-satisfy the needs with a new arrangement, but they do not have a permit.

Mr. Robert Witt said that he was a resident of District 10 and he wanted to talk about something that often gets very good lip service in media outlets, but does not get much action behind it and the disparity is very large – the issue is residential blight. Mr. Witt distributed packets with pictures and information to the BIC. Mr. Witt stated that last week he attended a ribbon cutting

ceremony for a model block on Newcomb Avenue, and two blocks away from that is a property that has had open complaints since 2007 – All of which have gone through re-inspection, but they never seem to go any further than that. Mr. Witt said that the packet he gave the commissioners has photographs that he took from around the Bayview, and it contains a number of properties as well as listings of complaints and these complaints have never been satisfied and there is no abatement on any of these properties. Mr. Witt stated that if people are talking about model blocks and going through to improve quality of life in regards to blight, then it has to be more than an inspector coming out and re-inspecting time and time again or Director's hearings or notices and never any action that follows that. Mr. Witt said that this is not something new and it is clearly something that has been going on for years and years: He has sent emails and has spoken with Commissioner Walker and he also sent emails to all of the commissioners, but he wanted to appear at the meeting because it needed to be brought to the BIC's attention that this blight continues. Mr. Witt stated that homeowners get away with it, property values of neighboring homes drop and there is an issue here and it starts with the commissioners and inspectors and something has to happen so he wanted to make sure it was said. Mr. Witt said that if the commissioners had any questions the information was in the packets and he was able to access it and walk to these properties and see that things were not happening. Mr. Witt stated that for the most part, the BIC could look at the pictures and see that nothing has happened. Mr. Witt reiterated that homeowners do not care and people have to live with this, and all these places invite debris, drug use, and alcohol abuse. Mr. Witt said that there is a photo of some squatters that moved into an empty lot and set up a clothes line, and are living in a car. Mr. Witt stated that on a daily basis DPW street cleaning trucks drive by to clean up the debris that people assume they can just leave because no one is there. Mr. Witt thanked the Commission for their time.

Commissioner Lee asked if Mr. Witt was affiliated with any group.

Mr. Witt said no, he was just a community resident.

Mr. Jose Morales stated that the Commission has received other complaints today, but he has complained for several years yet the commissioners and the Department of Building Inspection do not seem to care. Mr. Morales said that he has requested justice and justice delayed is justice denied, and he thanked the new people that spoke. Mr. Morales stated that he has been complaining for more than two and a half years and nothing has happened, and he wants a hearing as well as for DBI to do a complete investigation. Mr. Morales said that the commissioners have not done an investigation either and he asked why they cannot do something to find the truth. Mr. Morales stated that he is present to keep complaining that DBI, the BIC, etc. are unfair and he has said many times that justice delayed is justice denied. Mr. Morales asked the BIC and the Deputy City Attorney if they have done any research or investigation. Mr. Morales stated that Director Vivian Day has given new information but it is not complete so he wants an investigation by the City Attorney and a report from the commissioners. Mr. Morales said that he just has 30 seconds to show that this was the problem: There were two units, 572 and 572-A and the plan in 2002 was to have an additional unit on the third floor which was 574 but the unit was never built. Mr. Morales stated that this was already a violation so how could this be recognized as a real number.

Vice-President Mar thanked everyone that appeared for public comment and said that the BIC cannot fully discuss these issues because they are not on the agenda, but that does not mean they will not be agendaized in the future. Vice-President Mar stated that this is the process of how the

Commission is run and some items may be under their jurisdiction and some may not, but he wanted to acknowledge everyone for taking time out to speak and attend the meeting.

**5. Discussion and possible action to approve the Director of Building Inspection’s professional committee memberships.**

Director Vivian Day stated that she had to request approval to serve on any committees that are outside the purview of the City and County of San Francisco, and she has been asked to serve on the State Code Committee, the Disabled Access Committee, and the Emergency Preparedness Committee. Director Day said that she has been asked to be Vice Chairman of that committee for the California Building Association, and she has also been asked to be a board member for the County Building Officials of California. Director Day stated that she was asking for the BIC’s permission or approval to do this under the charter requirements, and most of the committee meetings are held via teleconference. Director Day said that there is a general meeting held once a year where all the committees meet in conference and that is a one to two-day conference in business meetings.

Commissioner Lee asked if this was an annual request and who requests these appointments for Director Day. Commissioner Lee also asked if this was a state official that invites Director Day to these committees.

Director Day stated that these are annual appointments and usually at the conferences various members of the committee ask if a person would be willing to serve.

Vice-President Mar called for public comment on Item 5.

Mr. Spencer Gosch said that Director Day is guilty of malfeasance in her Director position so how could the Commission allow her to do other work. Mr. Gosch stated that this is completely preposterous and he recommends that the BIC not allow Director Day to serve on the committees since it would allow her to pay more attention to her current job duties.

*Commissioner Walker made a motion, seconded by Commissioner Lee, to approve the participation of Director Day in the statewide discussion about Building Code issues and approve the recommendations as put forward.*

Vice-President Mar called for a roll call vote:

<b>Vice-President Mar</b>	<b>Yes</b>	<b>Commissioner Clinch</b>	<b>Yes</b>
<b>Commissioner Lee</b>	<b>Yes</b>	<b>Commissioner Murphy</b>	<b>No</b>
<b>Commissioner Walker</b>	<b>Yes</b>		

*The motion passed on a vote of 4 to 1.*

**RESOLUTION NO. BIC 011-11**

**6. Report on the progress for setting standards for Gray Water Systems, including permit approval at DBI and coordination with the PUC.**

Chief Plumbing Inspector Steve Panelli said that he was asked to speak on the issue of rain water and gray water, and he has been working with the Public Utilities Commission (PUC) for the past two years now incorporating a manual for homeowners, customers, and contractors that want to start installing the gray water systems. Mr. Panelli stated that he has a draft that explains how the systems are to be installed and DBI and the plumbing department realized it is expensive to do the systems. Mr. Panelli said that one of the things in the manual is the plan check of the types of systems that are installed, due to the fact that there are properties that are on top of one another. Mr. Panelli stated that plan check is one of the important things that have to be done which will save contractors and homeowners money and time before they obtain a permit or start to do any type of work so they know they can do these systems. Mr. Panelli said that DBI is looking to make this as safe as possible.

Mr. Panelli continued to discuss the following points:

- The water from a gray water system can unfortunately go to a neighbor's property, so it is important to know exactly what is coming forward to make it easier for the applicant.
- The Plumbing department would be able to identify these types of projects since they have been working with them for over two years.
- Mr. Panelli has been involved with gray water for four or five years now knowing that it was coming forward.
- One of the biggest concerns is the types of systems, where they are going to be put, and how they are going to be installed.
- DBI wants to be there for the health and safety of the people and say they are available to help and make this as easy as possible, and the Department is behind it 100%.
- DBI just wants to see if this can go forward and be easy.
- The handout that the BIC received basically tells them everything and gives snippets of what is being done in the manual that DBI has been working on with the PUC. It shows different systems, different requirements, what DBI is expecting, what PUC is putting out there as well as how DBI is planning to help them.
- One of the biggest things that would help everybody would be plumbing plan check, especially for these types of systems.

Commissioner's/Staff Question & Answer Discussion:

- Commissioner Murphy said the last time Mr. Panelli brought this up there were some issues with the device, as far as the washing machine pumping the gray water out.
- Mr. Panelli said one thing that is actually in the Code is gray water for laundry to landscape.
- Commissioner Murphy asked if this was still voluntary? Mr. Panelli said it is not mandatory.
- Mr. Panelli stated if a customer wants DBI to look at the systems they are installing then they can come down to get a permit and have the Plumbing department look at it, or if they want to show them the plans before they do so to get input about the system, location, etc. then they are welcome.
- Commissioner Murphy asked what is really driving this or bringing this on and he questioned if it was leaking water into a neighbor's property on the downhill side?



- Mr. Panelli said that there is more of a concern from next door neighbors that are seeing gray water systems installed that might be on a hillside or even on flat ground, and they are getting water intruding into their basement unit, their own unit, or in the garage and they do not know where it is coming from.
- Mr. Panelli stated that if an inspector goes out for a complaint and they are looking at the sanitary systems, so they are trying to figure out where the leak could be coming from.
- If the Plumbing Inspection Division (PID) does not know that they have a laundry to landscape and it is not saturated at the time of inspection, then finding that type of leak is really difficult to do.
- The health department said that they would go out and do a sample test as well, but the problem is the sample test is going to show laundry detergent, dirty water, or anything so knowing where it is coming from gets complicated.
- Commissioner Lee asked what was the estimated cost of a soils report. Mr. Panelli stated that he did not know.
- Commissioner Lee asked how much the permit was going to cost. Mr. Panelli said \$160.
- Commissioner Lee said that he would hate to see this new project get too costly for homeowners to take advantage of, and right now he anticipates soil reports could cost hundreds if not thousands of dollars.
- Mr. Panelli stated that there are certain areas where the soil is known and the homeowner would not need a soils report.
- Mr. Panelli said if a customer has a permit for the gray water system and a problem arises then they can check the information that was submitted, in the event of any problems.
- Commissioner Walker said that it is great to be able to identify certain areas that are going to trigger issues.
- Commissioner Murphy stated that it is great that DBI is willing to help the public and advise them on these systems, and it is important that it is kept as inexpensive as possible.
- Commissioner Clinch asked who is going to make the determination after the soils report is received. Mr. Panelli said the PID plan checker.

Vice-President Mar thanked Mr. Panelli for being involved with the gray water systems, and said that he supports the gray water initiatives and hopes they are done safely, up to Code, and do not infringe on other properties.

Vice-President Mar called for public comment on Item 6. There was no public comment.

**7. Discussion and possible action regarding a proposed Administrative Bulletin AB-084 Guidelines for the Structural Review of Continuous Tiedown Systems Used to Resist Overturning of Light-Framed Wood Shear Walls in response to comments from the Building Inspection Commission.**

Director Day stated that there was a recommendation from the Code Advisory Committee that AB-047, which is the specific submittal criteria for reports: Special inspections and final acceptance testing of smoke control systems. AB-084, guidelines for structural review of continuous tie down systems used to resist overturning of light-framed sheer walls, have been approved and vetted by the Code Advisory Committee and Director Day has forwarded this to the Commission for approval.

Assistant Secretary Harris asked if Director Day was discussing Item 7 and Item 8 together.

Director Day said yes, she would like to because Item 8 was formed in conjunction with the Fire Department and the Fire Marshall is present to help explain a little bit about the guidelines.

Commissioner Clinch stated that Item 7 was before the BIC a few months ago and he had some comments and he met with the committee and incorporated the comments and they discussed them.

Commissioner Walker asked Commissioner Clinch if he could go over those comments and the resolution of them for the BIC as a structural engineer.

Commissioner Clinch said that he could not remember exactly, but there was a concern about the fact that they had used some terminology referring to the need for posts, and when you do need some sort of vertical compression element adjacent to the tie down which has a tension force that will have a counter action force in the wall – That was one of the comments. Commissioner Clinch stated that he has forgotten but he thinks there were a total of three comments, but that was about three months ago so needless to say he feels like the CAC has discussed these issues.

Commissioner Murphy asked what has changed from the previous system.

Commissioner Clinch stated that this is to allow the use of continuous tension rod systems which are sandwiched between studs as opposed to a more traditional hold down, and these are more continuous. Commissioner Clinch said not to advocate one system over another but they tend to be cleaner and simpler to install, and you do not have problems with old lining up in the right place and having to do a lot of drilling into the post to have the hold down be installed properly.

Commissioner Walker asked if the BIC could hear from the Fire Marshall.

Fire Marshall Barbara Schulteis said that it was a pleasure to be at the BIC and she is just present to let the Commissioners know that the Fire Department has worked with the Code Advisory Committee for a number of years on the smoke control bulletin and they feel it is necessary. Ms. Schulteis stated that they are happy with the wording, and the Code Advisory Committee was also happy in the end. Ms. Schulteis said that it is a necessary document that smoke control systems are complicated systems, required in all new high-rise buildings and in some other buildings, specialty occupancies but they involve many different disciplines: Sprinkler systems, Fire alarm systems, Architectural elements of the building, and Mechanical systems. Ms. Schulteis said that they require a lot of coordination between the various trades and making sure that all these various systems comply with the smoke control report. Ms. Schulteis stated that this document would give guidance to designers to know what is required for the submittal and approval of these systems.

Vice-President Mar called for public comment on Item 7 and Item 8. There was no public comment.

***Commissioner Walker made a motion, seconded by Commissioner Murphy to approve AB-047 and AB-084.***

Assistant Secretary Harris called for a roll call vote.

<b>Vice-President Mar</b>	<b>Yes</b>	<b>Commissioner Clinch</b>	<b>Yes</b>
<b>Commissioner Lee</b>	<b>Yes</b>	<b>Commissioner Murphy</b>	<b>Yes</b>
<b>Commissioner Walker</b>	<b>Yes</b>		

*The motion carried unanimously.*

## **RESOLUTION NO. BIC 012-11**

### **8. Discussion and possible action regarding a proposed Administrative Bulletin AB-047 (Draft 15 R6) Specific Submittal Criteria for Reports, Special Inspections and Final Acceptance Testing of Smoke Control Systems.**

Please note that Item 8 was discussed along with Item 7.

#### **9. Director's Report.** **a. Update on DBI's finances.**

Deputy Director of Administrative Services, Pamela Levin, stated that there is not a remarkable difference between the projection from last month to this month and the Department is still tracking to have revenues come in strongly. Ms. Levin said that primarily the revenues are in charges for service but there are the apartment license and hotel license fees that come in with the property tax and they have come in a little stronger than DBI expected. Ms. Levin said that the Department is still showing a savings in several areas of expenditures and ending up with a year-end balance similar to last month.

Commissioner Murphy asked if any staff were brought back or if there were any new people in the last 30 days.

Ms. Levin stated that DBI has brought back one Payroll person, but the Mayor's Office has released the rest of DBI's requisitions except for the Housing Inspector positions so they will be posting those positions up on the DBI website and those are mostly clerical positions. Ms. Levin said that the Department is in the process of hiring mechanical engineers and they did interview for that position on Monday, and she believes there are offers being made in that field and they are also interviewing for one structural engineer and that will take place next week for the civil engineer. Ms. Levin stated that in the last 30 days there were also interviews for electrical inspectors and requisitions have been approved, but now everything is at DHR.

Commissioner Walker asked about the seismic retrofitting budget and said that DBI's actuals are significantly different and she asked if DBI was estimating more people would be taking advantage of a voluntary retrofitting program.

Ms. Levin said yes but that is not in this funding and she does not have the figures of how many permits have been issued, but it is a small amount.

Assistant Secretary Harris called for public comment on Item 9a.

Mr. Henry Karnilowicz of the SFCRG said that he wanted to commend staff for the new hires, especially with electrical inspection, because they have been behind and have been trying to get appointments with them. Mr. Karnilowicz said that he usually gets appointments with Building Inspection within about 24 hours, but that does not happen too often with the other divisions.

**b. Update on proposed legislation.**

Director Day stated that she has included a proposed ordinance that has not been introduced yet, but she wanted to bring it to the BIC's attention. Ms. Day said that it is regarding the Public Art fee and public artwork trust fund, and this would be similar to the development legislation passed last year that would require DBI to collect and monitor the fee and the actual installation before they sign off on a final Certificate of Occupancy. Ms. Day stated that she has worked with both the Public Arts Commission and the Planning Department on this legislation, and they are in agreement with the concept to make it easier for people or developers to pay all of their fees in one general location, so they are working very closely with this and monitoring it very closely.

Commissioner Walker said that this is of particular interest to her because she chaired the San Francisco Arts Council where the issue was discussed and they made recommendations that they do some of what Director Day discussed. Commissioner Walker stated that in the C3 downtown there is an art development fee in all private developments, and 1% goes to create art on site but the problem is nobody manages this. Commissioner Walker said that nobody has any idea what actual pieces of art are actually created as a result of this, and this actually goes a step further in allowing for wider use within the framework of the money where it can actually be used not just for creating artwork on the site, but space for arts activity and maintenance of public art.

Assistant Secretary Harris called for public comment on Item 9b. There was no public comment.

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

Deputy Director of Administrative Services, Pamela Levin, gave an update on the Permit Tracking System.

Commissioner's/Staff Question & Answer Discussion:

- Ms. Levin asked a person from the HRC to attend in case the BIC had any questions.
- Ms. Levin made the announcement that DBI has submitted or sent out a notice of intent to award a contract to Accela-21 Tech Government Software and 21 Tech, which is a minority-owned firm.
- There is a five-day protest period where people could submit a protest.
- DBI wants to have a contract by August.
- Ms. Levin will give the BIC a monthly update on the PTS.
- Commissioner asked about the Q-Matic system since monitors are up on the wall. Ms. Levin said that the Department is still working on the process with staff and getting people to the right stations, and some trial runs have been done with actual applicants going through the system.
- Commissioners and staff discussed details of how the Q-Matic system would work on

each floor.

Assistant Secretary Harris called for public comment on Item 9c.

Mr. Spencer Gosch said that Commissioner Murphy brought up a good point and the implementation of the Q-Matic system is very telling about the future adoption of a computer system. Mr. Gosch stated that if they cannot get the simple electronic system to work, and he has a piece of paper that says it was supposed to be done by last November, then what kind of Permit Tracking System is DBI going to have – it would probably be worse than the one DBI has now.

**d. Update on other activities affecting administration of the Department.**

Director Day said that the hiring of the new clerical people that will be running the system were supposed to be hired in January, and the requisitions were not signed by the Mayor's office until last week. Ms. Day stated that DBI needs people to man the desks that will be issuing the tickets to people so it is not just a matter of whether the computer system works or not, they also have to have staff to be able to man the system. Ms. Day said that it is not going to do any good if DBI has something that is not going to be manned by people to actually help customers use the system and that is what the Department has been waiting for.

Assistant Secretary Harris called for public comment on Item 9d. There was no public comment.

**10. Review and approval of the minutes of the Special Meeting of December 15, 2010**

*Commissioner Walker made a motion, seconded by Commissioner Clinch, to approve the December 15, 2010 minutes. The motion passed unanimously.*

**RESOLUTION NO. BIC 013-11**

**11. 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 Walker said that as a result of some of the issues that have come up she would like to revisit the process for registering vacant properties and see if there is a way that DBI could catch more of these properties and evaluate if it is working to reduce blight. Commissioner Walker stated that she would like to get a presentation of Code Enforcement and how the different departments do referrals. Commissioner Walker said that she believes the BIC has asked for a response before to Mr. Morales' issues about the licensing, and asked if the City attorney could respond as to the BIC's jurisdiction on his specific case, maybe in writing. Commissioner Walker said that she wanted to agendize the issue of the Director's ability and the BIC's ability to hire Deputy Directors and the BIC's responsibility under the charter – maybe this is something that could be given as an update from the Commission's City Attorney. Commissioner Walker said that the previous Director made huge changes in what the charter mandates and the BIC approved that, so they need to understand what the requirements and responsibilities are under the charter.

Commissioner Lee said that maybe DBI should check with other departments to see what they are doing regarding vacant/abandoned building and blight laws.

Assistant Secretary Harris called for public comment on Item 11a. There was no public comment.

- 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.**

Assistant Secretary Harris stated that the next Building Inspection Commission meeting would be on June 20, 2011.

Commissioner Walker said that the next Litigation Committee meeting would be on June 19.

Assistant Secretary Harris called for public comment on Item 11b. There was no public comment.

## **12. Adjournment.**

*Commissioner Walker made a motion, seconded by Commissioner Mar, that the meeting be adjourned. The motion carried unanimously.*

## **RESOLUTION NO. BIC 014-11**

**The meeting was adjourned at 11:24 a.m.**

Respectfully submitted,

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

<b>SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS</b>	
Update on vacant/abandoned buildings. – Walker	Page 13
Request from City Attorney to give written decision about BIC's jurisdiction regarding Jose Morales' issue. – Walker	Page 13
Request from City Attorney to give decision/advice to BIC regarding ability to hire Deputy Directors, and what is BIC's responsibility under the Charter. – Walker	Page 13, 14
Report on blight issues and coordinate with other departments. – Lee	Page 14