



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

SPECIAL MEETING

Wednesday, March 20, 2024 at 10:30 a.m.

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

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PUBLIC COMMENT CALL-IN: 1-415-655-0001 / Access Code: 2660 635 5861

DRAFT MINUTES

1. Call to Order and Roll Call.

The Regular meeting of the Building Inspection Commission was called to order at 11:46 a.m., and a quorum was certified.

COMMISSION MEMBERS PRESENT:

Alysabeth Alexander-Tut, **President**

Earl Shaddix, **Vice-President**

Evita Chavez, **Commissioner**

Bianca Neumann, **Commissioner**

Angie Sommer, **Commissioner**

Kavin Williams, **Commissioner**

Sonya Harris, **Secretary**

Monique Mustapha, **Assistant Secretary**

D.B.I. REPRESENTATIVES:

Patrick O’Riordan, **Director**

Christine Gasparac, **Assistant Director**

Matthew Greene, **Acting Deputy Director, Inspection Services**

Neville Pereira, **Deputy Director, Plan Review Services**

Alex Koskinen, **Deputy Director, Administrative Services, Excused**

CITY ATTORNEY REPRESENTATIVE:

Robb Kapla, **Deputy City Attorney**

2. President’s opening remarks.

Interim President Alexander-Tut stated that as the Commission closes out the cycle of interim officers she would like to uphold the values that the BIC has focused on, and in our role balancing the need to uphold the highest standard of ethics, and to rule out corruption in the department and support the investigation in order to clear up our reputation and our processes. Also, acknowledging that work needs to continue to happen and the department is working to move the permit process faster, and increase our efficiencies. Sometimes these elements can have chilling effects on staff when one sees all the names in the newspaper, and people are getting arrested. She wanted to send her thoughts and support to the line staff who are doing this work every day, upholding the code, and doing the good work of DBI. Interim President Alexander-Tut said that she knows moral can be affected when staff sees the department in the news all the time, but she wanted the staff to know that they have had her support and the support of the Commission as they respect the job that staff does every day. In addition to the important focus the BIC has had on construction, and the housing stock through tenant improvements is to also uphold the Housing Division, and the great work that the majority of renters in the City depends on –This should always continue to be a focus of our work and as the Building Inspection Commission, so much of the energy and discussion of the department is around improving the construction process. Interim President Alexander-Tut thanked everyone and said she looked forward to the rest of the meeting.

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

There was no general public comment.

4. Election of BIC President and Vice-President.

Secretary Harris asked if the Commissioners had any nominations, and she clarified with Deputy City Attorney Kapla that a second was not required for the motions for BIC President and Vice-President.

Commissioner Neumann made a motion to nominate Commissioner Shaddix for BIC President.

Secretary Harris Called for a Roll Call Vote:

Interim President Alexander-Tut	No
Commissioner Chavez	No
Commissioner Neumann	Yes
Commissioner Shaddix	Yes
Commissioner Sommer	Yes
Commissioner Williams	No

The motion failed with a vote of 3 to 3.

RESOLUTION NO. BIC 009-24

Commissioner Williams made a motion to nominate Commissioner Alexander-Tut for BIC President.

Secretary Harris Called for a Roll Call Vote:

Interim President Alexander-Tut	Yes
Commissioner Chavez	Yes
Commissioner Neumann	No
Commissioner Shaddix	No
Commissioner Sommer	Yes
Commissioner Williams	Yes

The motion carried 4 to 2, with Commissioners Neumann and Shaddix dissenting.

RESOLUTION NO. BIC 010-24

Commissioner Neumann made a motion to nominate Commissioner Shaddix for BIC Vice-President.

Secretary Harris Called for a Roll Call Vote:

President Alexander-Tut	Yes
Commissioner Chavez	Yes
Commissioner Neumann	Yes
Commissioner Shaddix	Yes
Commissioner Sommer	Yes
Commissioner Williams	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 011-24

5. Discussion and possible action to change the start time of the Building Inspection Commission meeting to 10:30 a.m.

President Alexander-Tut made a motion, seconded by Vice-President Shaddix, to change the start time of the Building Inspection Commission meeting to 10:30 a.m.

There was no public comment.

Secretary Harris Called for a Roll Call Vote:

President Alexander Tut	Yes
Vice-President Shaddix	Yes
Commissioner Chavez	Yes
Commissioner Neumann	Yes
Commissioner Shaddix	Yes
Commissioner Williams	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 012-24

6. Discussion and possible action regarding Board of Supervisors Ordinance (File #240110) amending the Administrative Code, Building Code, Business and Tax Regulations Code, and Planning Code to clarify the state-mandated, ministerial approval process and local, discretionary approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings, in addition to other requirements.

Assistant Director Christine Gasparac stated that Legislative Aide Nate Horrell from President Peskin's Office, and Veronica Flores from the Planning Department were present to speak on the legislation.

Ms. Gasparac gave a presentation regarding Board of Supervisors Ordinance File No. 240110 and discussed the following points:

Ordinance to Clarify the Ministerial Approval Process for Certain Accessory Dwelling Units (ADUs)

- File No. 240110 – An earlier version of this ordinance was approved by the Building Inspection Commission on October 18, 2023.
- Code Advisory Committee Recommendation

Mr. Nate Horrell, Aide to Board President Peskin, stated to give a little more background the ordinance that the Commission originally adopted in October was to conform our ADU to changes in the state mandated ADU law. The local program pre-dates the state program, and the way the state law is written there are now three different pathways to approve ADUs: Local, state, and a hybrid program. President Peskin duplicated this file because it became clear that the state program does not require rent control, and the local one does. As a matter of good public policy they wanted to look into whether they could drive more project applicants into the local program. They have gone down that road to figure out what is possible under the state law. The reason that the 60-day timeline language was added is that it is required in the state mandated program, one of the ideas that was put forward to make them more similar to each other was to add the same language to the local program. The intention was to incentivize the local program to make them more similar to each other, but after talking to Assistant Director Gasparac they now have a better understanding of the timeline mandated by AB-1114 which already applies to ADUs. They agree it might be simpler to stick with that timeline, although either way there will still be two timelines, because they cannot change the 60-day timeline since it was created by the state mandated program and state law and California Department of Housing and Community Development (HCD) said if you get rid of that language then San Francisco will be denied affordable housing funding, so this is the 'stick'. They are open to the recommendations, but there are still two different timelines so they want to make sure that the locally approved ADU projects do not have a longer timeline than the state ADUs. Also, they appreciate the offer to provide an Administrative Bulletin.

Ms. Veronica Flores of the Planning Department said that Ms. Gasparac and Mr. Horrell already explained that the proposed amendment would actually be longer than what we have in practice, and what would comply with AB-1114 so the recommendation is to modify the ordinance and remove the new timeline. Ms. Flores said it is confusing to have this additional language in the Building Code and this is what they would be recommending to the Planning Commission next month, so she would be able to share the BIC's recommendation with them at their hearing on April 25th.

Commissioner’s Questions and Comments:

There was extensive discussion regarding this item, and following are some of the questions and comments.

- President Chavez asked if Ms. Flores could clarify the timelines.
- Ms. Flores said currently the local timelines for Accessory Dwelling Units (ADUs) is 120 days. Proposed amendment would reduce it to 60 days, but with AB – 11 in practice, they are approving ADUs at a faster rate, but AB – 1114 adds it to 30 days. Recommendation is to strike the new language from the Building Code, since it is already implemented in AB – 1114.
- Commissioner Sommer said that she was confused about this legislation.
- Ms. Flores clarified the ordinance and showed highlighted text on the overhead.
- Ms. Gasparac stated that the umbrellas organization was the Permit Center, and they are helping with AB – 1114, and making sure all departments stay on target.
- The Code Advisory Committee (CAC) suggested an Administrative Bulletin or Information sheet to clarify how we’re counting days.
- Commissioner Sommer asked if striking this piece from the Building Code address that concern, and Ms. Gasparac said yes.
- Commissioner Chavez asked a question about state law, and Ms. Gasparac said the state law remains.
- Commissioner Sommer questioned the BIC’s purview.
- Deputy City Attorney Kapla clarified that the BIC can recommend language regarding the yellow highlighted section.
- Commissioner Neumann asked how this differentiates from state code?
- Ms. Flores said the amendment is to reduce local ADUs. The goal is to simplify/clarify language since they already have AB -1114 timelines.
- Deputy City Attorney Kapla offered further clarification.

Commissioner Sommer made a motion, seconded by Commissioner Chavez, to recommend approval of the ordinance (File #240110) to Clarify the Ministerial Approval Process for Certain Accessory Dwelling Units (ADUs). Also, clarified that the Commission would like to remove the yellow highlighted section from the Building Code.

Commissioner Williams recommended that the Department of Building Inspection create an Administrative Bulletin (AB).

There was no public comment.

Secretary Harris Called for a Roll Call Vote:

President Alexander Tut	Yes
Vice-President Shaddix	Yes
Commissioner Chavez	Yes
Commissioner Neumann	Yes
Commissioner Shaddix	Yes
Commissioner Williams	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 013-24

President Alexander-Tut made a motion, seconded by Commissioner Sommer, to hear agenda item 7a but to not hear items 7b-e.

There was no public comment.

Secretary Harris Called for a Roll Call Vote:

President Alexander Tut	Yes
Vice-President Shaddix	Yes
Commissioner Chavez	Yes
Commissioner Neumann	Yes
Commissioner Shaddix	Yes
Commissioner Williams	Yes

The motion carried unanimously.

RESOLUTION NO. BIC 014-24

7. Director’s Report.

a. Director’s Update [Director O’Riordan]

- Good morning Interim President Alexander-Tut and members of the Building Inspection Commission.
- I’m Patrick O’Riordan, the Director of the Department of Building Inspection.
- As you know, on January 1, DBI and all of the City’s permitting departments transitioned to 100% electronic plan review for all in-house review permit applications.
- This long-planned transitioned is a cornerstone of our efforts to improve San Francisco’s permitting process and was a remarkable effort in collaboration between DBI, the Permit Center, Digital Services, City Planning, DPW, SF Fire, SF PUC and Public Health.
- We created a new permit application submission portal, published new webpages with better, more comprehensive customer guidance, and, in partnership with the Permit Center, reworked the City’s internal processes to enable concurrent review by an application and supporting documents by multiple departments.
- We’ll soon have data to understand the real-world results of these changes and look forward to sharing that information with you in a comprehensive report next month.

- But it's worth noting that the other changes we've made over the past three years have started to show real results. Improvements such as pre-plan check, tier-based staff assignments and the PTS review results enhancements appear to be having a real impact.
- Median issuance times for all in-house site permits, including housing permits, have been reduced by months.
- And, year over year, we're reviewing both housing and commercial projects significantly faster this fiscal year compared to the last fiscal year.
- We look forward to sharing more next month but feel good about the progress we're already seeing.

Please note: As indicated in the motion, agenda items b-e were not heard.

- b. Update on major projects.**
- c. Update on proposed or recently enacted State or local legislation.**
- d. Update on Inspection Services.**
- e. Update on DBI' finances.**

8. Commissioner's Questions and Matters.

- a. Inquiries to Staff. At this time, Commissioners may make inquiries to staff regarding various documents, policies, practices, and procedures, which are of interest to the Commission.**

President Alexander-Tut mentioned that there was a hiccup with Bluebeam, and she asked Director O'Riordan for an update.

Director O'Riordan said that there were glitches in the Bluebeam software. Staff reached out to customers for their response, and Bluebeam worked on a solution. Director O'Riordan clarified that the Bluebeam system was back online by Friday morning.

- 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 stated that the next Regular Building Inspection Commission meeting would be on April 17, 2024.

There was no public comment.

9. Review and approval of the minutes of the Regular Meeting of October 18, 2023 and January 17, 2024.

Vice-President Shaddix made a motion to approve the minutes of the Regular Meeting of October 18, 2023 and January 17, 2024, which was seconded by Commissioner Chavez.

The motion carried unanimously.

RESOLUTION NO. BIC 015-24

10. Review and approval of the minutes of the Special Meeting of January 11, 2024.

Commissioner Neumann made a motion, seconded by Commissioner Williams, to approve the minutes of the Regular Meeting of October 18, 2023 and January 17, 2024.

The motion carried unanimously.

RESOLUTION NO. BIC 016-24

**11. Discussion and possible action regarding Director O’Riordan’s performance evaluation.
(Continued from the Regular Meeting of January 17, 2024)**

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

There was no public comment.

b. Possible action to convene a Closed Session.

President Alexander-Tut made a motion, seconded by Commissioner Chavez, to convene a Closed Session.

The motion carried unanimously.

RESOLUTION NO. BIC 017-24

The Commission convened a Closed Session at 12:46 p.m.

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

d. Director of the Department of Building Inspection – Mr. Patrick O’Riordan

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

Commissioner Chavez made a motion to reconvene in Open Session and not disclose any or all discussions held in Closed Session, which was seconded by Commissioner Williams.

RESOLUTION NO. BIC 018-24

The Commission reconvened in Open Session at 1:18 p.m.

12. Adjournment.

Commissioner Neumann made a motion to adjourn the meeting, seconded by Vice-President Shaddix.

The motion carried unanimously.

RESOLUTION NO. BIC 019-24

The meeting was adjourned at 1:19 p.m.

Respectfully submitted,



Sonya Harris, BIC Secretary