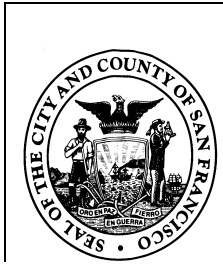


*Regular Meeting of the
Building Inspection Commission
November 20, 2024*

*Agenda Item 8
Regular Meeting Minutes of
October 16, 2024*



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

REGULAR MEETING

Wednesday, October 16, 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: 2662 775 2754

DRAFT MINUTES

1. Call to Order and Roll Call.

The regular meeting of the Building Inspection Commission (BIC) was called to order at 10:36 a.m., and a quorum was certified.

COMMISSION MEMBERS PRESENT:

Alysabeth Alexander-Tut, **President**

Earl Shaddix, **Vice President**

Evita Chavez, **Commissioner, Excused**

Catherine Meng, **Commissioner**

Bianca Neumann, **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, **Deputy Director, Inspection Services**

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

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

Tate Hanna, **Legislative & Public Affairs Manager**

CITY ATTORNEY REPRESENTATIVE:

Robb Kapla, **Deputy City Attorney**

2. President's opening remarks.

President Alexander-Tut thanked the Public Affairs and Legislative team for doing an amazing job of moving legislation that was vital to the economic recovery of San Francisco, and keeping its eye on the prize as far as the Departments role in the revitalization of the city.

President Alexander-Tut said the Building Inspection Commission (BIC) would meet at 9:30 a.m. and have a shortened agenda with only legislative items and the director's report would be posted, but not heard and the Abatement Appeals Board (AAB) would meet after at 10:30 a.m. to get through its backlog for November 2024.

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. Jerry Dratler gave a presentation regarding what would happen when building permits did not expire automatically. In his presentation, Mr. Dratler outlined extension days allowed on different building permits that were showing null and void in the Permit Tracking System.

Ms. Fred Sherburn-Zimmer from the Housing Rights Committee (HRC) of San Francisco said the HUD Housing outreach program that they administer was ending, although it had been re-funded by the Board of Supervisors and was in the Mayor's final budget. They were speaking today to ask the department to make sure to advocate for the all of the funds in the final Mayor's budget to go to the department and its programs because a lot of the buildings were in really horrid conditions and tenants having to repeat request for repair. For example, the Alice Griffith complex, built just over ten years ago had ceiling collapses and tenants deserved access to all the city's services. Fred said that HUD tenants needed specialized outreach and to encourage the board to advocate for the funds of \$200,000 that was left on the table.

Lisa from the Chinatown Community Development Center (CCDC) on behalf of the Code Enforcement Outreach Program (CEOP) and SRO Collaborative said they were able to receive the ten percent from the budget that came from the add back process, however \$200,000 was missing for the outreach in HUD buildings. HUD tenants across San Francisco faced significant health and safety threats due to poor living conditions that included mold, pest infestation, and inadequate heating. These conditions could lead to serious health problems such as respiratory issues and increased vulnerability to illness among children and the elderly. They hoped DBI would commit to the outreach by releasing the necessary resources.

Becky from Causa Justa (Just Cause) said she was there to support the CEOP and SRO programs to receive the \$200,000 that was put in the budget to counsel, educate, and do outreach in HUD buildings. Many tenants in San Francisco had reported chronic maintenance neglect including broken heating systems and these conditions were particularly affecting children and elderly people. HUD tenants have expressed frustration regarding communication regarding repairs. Many tenants were not aware how to formerly submit repair request leading to unresolved maintenance problems, which was where the Housing Rights Committee stepped in and educated tenants.

Mr. Christopher Schroeder presented an agenda from 2017 showed the director then chief Patrick O'Riordan required sprinklers in buildings four stories. He went on to mention senior inspector meetings that delegated cases to preferential inspectors.

Ms. Audrey Helm said after the Bernie Curran scandal the public was told that he was just a bad apple and there would no longer be two sets of rules, one for the rich and one for the common residents of San Francisco. However, it was election season and business as usual in the city and things were coming to

the light. As Mr. Dratler's comment showed Mark Farrell, a mayoral candidates building permits were inappropriately extended by DBI a few months ago. Once again a rich and powerful person gets their permits extended and it cannot be blamed on Bernie Curran as he was no longer at DBI. Ms. Helm asked the Commission to do something about it.

Ms. Njoki Moore from the Housing Rights Committee of San Francisco said the HUD buildings across the city were in crisis and her team was working with the tenants primarily in Districts 5 and 10 which were historically Black communities. The HUD code enforcement and outreach program was of critical importance to ensure residents were able to get repairs that were needed to live in dignified housing. Many residents had been living in horrible conditions due to years of neglect from owners, inept managers, and other city agencies. Once case was a multigenerational family of five disabled seniors lived in the Bayview without a working refrigerator, adequate heat, mold, and there was repeated request for repair. Another family in Fillmore lived with a sunken floor in the living room and had dealt with constant plumbing issues. Tenants had given up on reporting issues for lack of trust in the city agencies. Ms. Moore said after taking the time to build trust with the tenants her team helped document and report the needed repairs. She asked the Commission to advocate for the \$200,000 that was left on the table from the Mayor's budget for their program.

President Alexander-Tut said due to Proposition D she was disclosing for the record that she was previously employed with an organization that received funding, one of the SRO budget lines, and she had personal friendships and was a former colleague of Fred from the Housing Rights Committee.

4. Director's Report.

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

Director O'Riordan made the following points:

- DBI released new building code guidelines clarifying adaptive reuse code provisions and exceptions for converting downtown office buildings into apartment buildings.
- Our goal is to find ways to help developers convert older downtown office buildings into housing without sacrificing residential safety requirements.
- The guidelines are detailed in Information Sheet G-29 and summarized in a resource sheet, both of which are available on our website.
- This didn't happen overnight. These guidelines are the result of months of discussion with SF Fire, the Planning Department, the Office of Economic and Workforce Development, and a task force of almost a dozen private sector architects, engineers and developers led by a member of the American Institute of Architects.
- I want to thank Deputy Director for Permit Services Neville Pereira for his leadership on this issue and to thank our partners in the City and in the development community for their time, effort and smart thinking in helping us develop these guidelines.
- This month, the City also began offering a new service – the Permit Review Roundtable – to streamline plan review for Accessory Dwelling Unit (or ADU) permit applications submitted through the State or Hybrid Program.
- Four 45-minute roundtable meetings will be held each Monday with the ADU project's design professional, DBI, the Planning Department, SF Fire, Public Works and the Public Utilities Commission. There's no additional fee for this service.
- Here's how it will work: After submitting an ADU permit application, receiving a completeness letter and paying their initial fees, Planning will determine which ADU projects are eligible for the roundtable and DBI will schedule a meeting with the project designer.
- During the roundtable, the project designer will be presented with the City's combined plan review comments and can ask questions to each of the departments involved in the review.

- After the meeting, the designer will revise and resubmit the plans and another roundtable will be scheduled. The goal is to complete the review with just one round of revisions so, ideally, this will be the final meeting before the permit is issued. We have already started scheduling the roundtables and the first meetings to be held on October 21.
- The Permit Review Roundtable is another collaboration with the Planning Department and we believe it is a thoughtful and efficient approach to reducing our ADU review times while also improving the service we provide to our customers.

a. Update on major projects.

Director O’Riordan gave an update on major projects for September 2024 as follows:

Major projects are those with valuation of \$5 million or greater filed, issued, or completed.

- Major projects with permits filed.
 - 1 issued
 - \$5.5 million in valuation
 - 0 net units
- Major projects with permits issued.
 - 3 issued
 - \$66.8 million in valuation
 - 27 net units
- Major projects with Certificate of Occupancy
 - 4 completed
 - \$67.1 million in valuation
 - 114 net units

c. Update on proposed or recently enacted State or local legislation.

Legislative Affairs Manager Tate Hanna presented the legislative update and discussed the following points:

- **File No. 241005:** Department sponsored ordinance that would adopt chapters 6 through 11 of the Existing California Building Code, those chapters had not been adopted by the city and this ordinance would rectify that and follow in path with state Fire Marshall.
- **File No. 240982:** Ordinance would reform and recast the Accessible Business Entrance program to focus on a more holistic form of accessibility and go beyond the front door. Sponsored by Supervisor Mandelman and introduced on October 8, 2024.
- **File No. 240845:** Amends the all-electric ordinance to allow gas infrastructure as long as it covered Energy Policy and Conservation Act (EPCA). Passed Board of Supervisors (BOS) on October 15, 2024 and was awaiting mayor signature.
- **File No. 240807:** Introduced by Supervisor Stefani, this Ordinance related to elevator requirement in R-1 and R-2 buildings below fifty feet. BIC reviewed and gave a positive

recommendation on September 18, 2024 and passed the BOS on October 15, 2024 and was awaiting mayor signature.

- **File No. 240798:** Professionally prepared plans for change of use permit application, sponsored by the Mayor. Passed the BOS on October 8, 2024.

d. Update on Inspection Services.

Deputy Director of Inspection Services Matthew Greene presented the following Building Inspection Division Performance Measures for September 1, 2024 to September 30, 2024:

• Building Inspections Performed	5,110
• Complaints Received	334
• Complaint Response within 24-72 hours	328
• Complaints with 1st Notice of Violation sent	84
• Complaints Received & Abated without NOV	171
• Abated Complaints with Notice of Violations	49
• 2nd Notice of Violations Referred to Code Enforcement	49

Deputy Director of Inspection Services Matthew Greene presented the following Housing Inspection Division Performance Measures September 1, 2024 to September 30, 2024:

• Housing Inspections Performed	727
• Complaints Received	428
• Complaint Response within 24-72 hours	374
• Complaints with Notice of Violations issued	118
• Abated Complaints with NOVs	410
• # of Cases Sent to Director's Hearing	36
• Routine Inspections	62

Deputy Director of Inspection Services Matthew Greene presented the following Code Enforcement Services Performance Measures for September 1, 2024 to September 30, 2024:

• # Housing of Cases Sent to Director's Hearing	84
• # Complaints of Order of Abatements Issues	19
• # Complaint of Cases Under Advisement	0
• # Complaints of Cases Abated	31
• Code Enforcement Inspections Performed	579
• # of Cases Referred to BIC-LC	2
• # of Case Referred to City Attorney	0

Deputy Director of Inspection Services Matthew Greene said Code Enforcement Outreach Programs are updated on a quarterly as follows for the 4th quarter:

• # Total people reached out to	45,619
• # Counseling cases	264

- # Community Program Participants 6,118
- # Cases Resolved 156

e. Update on DBI’s finances.

Deputy Director of Administration Alex Koskinen gave a presentation and made the following points:

Revenues:

- 25% of the fiscal year had elapsed
- 26% collected of the budget

Expenditures:

- Tracking on budget with primary expenditure of labor.

Permits:

- Total number of permits YTD is same as this period last year.
- YTD valuation was 52% higher than same period last year.

Commissioner’s Questions and Comments:

President Alexander-Tut asked had the department received any communication regarding the budget processes or any mid-year actions.

Mr. Koskinen said the department had not received any specific actions but heard from the Mayor’s and Controller’s Offices the situations for the city as a whole, the general fund remained difficult and they may reach out to department’s midyear to request a reduction but nothing so far and last year said the same thing but did not ask for reductions.

Public Comment

Mr. Jerry Dratler said in September 2021 the Controller’s Office issued a preliminary assessment of DBI’s permit and inspection processing and identified changes that should be implemented. Mr. Dratler referred to the lack of system controls to prevent alterations in the Permit Tracking System (PTS). He learned that building permit extensions were not processed in PTS.

Mr. Dratler went over the Controller’s recommendation to DBI to implement 48-hour inspection records electronic locks and said DBI did not implement this tool and asked had the BIC reviewed DBI’s internal inspection records lock policy and who at DBI reviewed the audit logs each month and signed off on the review.

Mr. Christopher Schroeder said he was addressing no sprinkler system in a building at 303 California Street and other properties. However, this comment was a continuation from the general public comment item.

5. APPEAL PURSUANT TO SECTION 103A.6.3.2 OF THE BUILDING CODE REGARDING THE EXPANDED COMPLIANCE CONTROL PROGRAM [DISCUSSION AND POSSIBLE ACTION]

Tad Nguyen – Discussion and possible action regarding an appeal pursuant to 103A.6.3.2 of the Building Code.

a. Presentation by Tad Nguyen and Department of Building Inspection

Compliance Manager for DBI Christopher Vergara said this was the first appeal to the Expanded Compliance Control (ECC) Program and he would give some context. There were two ways to be listed

on the ECC list, either incur three or more violations within an eighteen-month period, or a violation deemed egregious by the department even without the three violations in consultation with the City Attorney's Office and created a significant risk to health and safety and/or property the Department may deem that person a candidate for the list. The Department deemed the appellant qualified under the first qualifying factor.

Mr. Vergara said the violation had to fall under four categories:

1. Misrepresentation of existing conditions or project scope that results in circumvention of review requirements.
2. Structural work or demolition of structural features without or beyond the scope of a building permit.
3. Work under a permit performed by a party without a required license.
4. Other substantial compliance.
 - Mr. Vergara said the violation he would discuss fell under category number two and four. The violations occurred between March 11, 2022 and June 27, 2023. The first violation was at 2037 Shafter Street on March 11, 2022 based on a field observation of demolition a complaint was opened and a Notice of Violation (NOV) was issued the same date. On March 15th the appellant filed for a permit to comply and it was approved and issued on May 5, 2022 and the work was completed by February 8, 2023 and inspection was conducted and the complaint was closed. The argument here was the permit was approved after the NOV and the work was beyond the scope of the approved plans.
 - The next violation was at 2039 Shafter Street and on March 14, 2022 a complaint was opened based on a field observation of construction work at the property and a NOV was issued for excavation at the east and west property lines work beyond scope of approval. By February 8, 2023 the work was complete and final inspection was done and Certificate of Final Completion was issued and the complaint was closed. The appellant argued this unit was part of the address above and should not have been a separate violation, however the Department would defer to the Commission for judgement as they were two separate violations although it was likely to be one project the appellant was working on. Legislation did differentiate between multiple violations of the same property and the Department administered the rule based on the strict interpretation of the legislation. If the BIC determined the violations to be one the Department would modify the way the ECC was reviewed and make changes to its processes.
 - The next violation was at 1600 Thomas and a complaint was opened October 21, 2022 based on construction work beyond the scope of permit and the NOV was issued October 31, 2022. On December 2, 2022 a permit application was filed to comply with the NOV. It was subsequently approved and issued on March 23, 2023 and the work was completed and final inspection was conducted by April 10, 2023 and the complaint was closed.
 - Mr. Vergara said according to the appellant statement the appellant said he was not the original contractor and most of the work was already done and DBI was not aware of that. Housing Inspection Services issued the NOV due to an inspection from an abatement and they witnessed the appellant performing the work.
 - The final NOV was opened 352 Hedge Street on June 27, 2023 following a site visit the violation was for defective construction work. A permit was filed on June 27, 2023 and issued on December 21, 2023. The final inspection and certificate of final completion was issued June 27, 2024 and the complaint was closed.

- DBI had the authority to cite any code violation observed on the course of performing inspections whether it be at a scheduled inspection or at an adjacent property observed with unsafe conditions.
- The Department requested to uphold the notice of determination, because there were three violations within an eighteen-month period.

President Alexander-Tut said to allow the appellant ten minutes to give their statement because the department's time was extended.

Mr. Tad Nguyen made the following points regarding the appeal to the Expanded Compliance Control Program:

- Mr. Nguyen said that Mr. Vergara was not a witness and he had only read what was written.
- He alleged the Department had picked on him his entire career.
- Mr. Nguyen said when he accepted work at 2039 Shafter the client had received numerous Notices of Violation (NOVs). He was reluctant to take the work but the client was a friend and he wanted to help because he knew people at DBI and understood how the system worked. The project was to raise the building two or three feet. He gave an estimate of the work, but also there was no shoring permit but he got one afterwards. Once he went to raise the building it fell apart and it was found the building had no footing. Mr. Nguyen said he tried to do the work according to the plans and called for an inspection. The inspector said the work was wrong and refused to speak with Mr. Nguyen about the plans and issued a NOV. All work stopped and they had to get out. He said on March 14th another permit was issued but he did not know how it was issued.
- Mr. Nguyen said it was the engineer who approved the plans to raise the building not him, he followed the plan. He said we should work together and the Department should tell us and give time to comply, the department should not write every little thing without telling the workers. Also, every NOV issued took a month and a half to resolve.
- Mr. Nguyen said he was threatened to be turned in to the City Attorney if he did not comply with the NOV.
- Mr. Nguyen said the inspector never went inside of 352 Hedge Street, he only went by and the next day an NOV was posted. He said the inspector issued an NOV without full knowledge of what the contractor was working on.
- Mr. Nguyen said he was told by Matt Green to sit down with a structural engineer to get some plans approved, which he did and applied for a permit but was told by Jimmy Cheung that the permit would not be processed.

b. Public Comment

There was no public comment.

Staff Rebuttal:

Mr. Vergara deferred his rebuttal time to Chief Building Inspector Kevin Birmingham.

Mr. Birmingham made the following points:

- Regarding the 1237 property where the entire back structure was demolished in the plans it did show the foundation was to be removed and shore up the back and remove the foundation and excavate down, but not raise the building. Instead it was demolished completely.

- The 1239 property was again supposed to be a shoring permit obtained and shoring installed but the inspector observed excavation below the neighboring properties on both sides. The contractor should have gotten the plans re-engineered once he noticed he was below the neighbor's lines but he chose not to and left the structure vulnerable. The contractor said he replaced some sections on the neighbor's property but he would have needed permits for that work as well.
- The appellant did address the walls, however, it was clearly noted those walls were one hour walls to protect assembly so while there may have been sprinklers in unit 352 had there been a fire in 350 it would have spread and compromised the structure at 352 including plywood walls which had not been inspected, this was considered a very serious violation.
- 1600 Thomas the housing inspector who knew the appellant and was on site referred the property to building inspection services as there was no permit to replace the stairs and the department had no way of knowing if the Mr. Nguyen left the tenant without an egress out of the property during repair and Mr. Nguyen stating he was not the contractor was not an excuse because the department had reason to believe he performed the work since the appellant had permits on the property at that time.

Appellant Rebuttal:

Mr. Nguyen made the following points for rebuttal:

- When the building was raised a company was used and raised the entire building and Mr. Birmingham was not there, he tried to use big words like vulnerable to defend it but the building was not vulnerable.
- This was one house and the owner wanted two separate addresses and had approved permit for an Accessory Dwelling Unit (ADU).
- Mr. Nguyen said he paid for all the permits related to the NOV's and all the costs for shoring.
- Regarding 1600 Thomas the appellant said he was asked to help the owner get his permits issued for painting and dry rot replacement but upon review there was an abatement for painting violation but the appellant said the painting had not been done.
- Mr. Nguyen said he was on the property to do painting and the stairs were already there but it took the department two weeks to issue the NOV, and inspector Jonathan Chang asked the appellant about the stairs at the property and the appellant told him he did not know about the stairs.
- The appellant said he wanted to challenge how the inspector observed unsafe condition at a property they passed by and listed defected construction.
- Mr. Nguyen said he may have accidentally violated the code, but he has never cheated anyone. Also, he had never heard of the ECC program and although he was close to retirement he was being rejected for work because of the program.

c. Deliberation and possible action by the Building Inspection Commission

Commissioner Williams asked Mr. Nguyen, what was the basis of accusing the Department of not liking him?

Mr. Nguyen said someone told him that.

President Alexander-Tut said did the appellant have any evidence such as copies of contracts or pictures that would show he was not the original contractor.

Mr. Nguyen said he did not have anything showing he was not the original contractor.

Commissioner Neumann asked if there was any relation between him and the owner at Hedge Street, and what was there relation?

Mr. Nguyen said yes they were related, but said the only relation was that she was his boss and she hired him to do the work that was their relation.

President Alexander-Tut said the NOVs were filed and resolved quickly, but asked if it was the egregiousness of those violations that constituted eligibility to the ECC program?

Mr. Vergara said the Department based the decision on the qualifying factor of structural work or demolition of structural feature beyond the scope or other substantial noncompliance. Although all NOVs should be resolved and the department applauds the efforts of the appellant to remedy them. However, it defeats the purpose of the ECC if everyone may simply comply with violations.

President Alexander-Tut said what did it mean to be placed on the ECC list.

Mr. Vergara said the contractor of record listed on the permit would be listed on the Department's website page for the public to see that was required by legislation, and a number of different measures must be taken once they are placed on the list. First refer to any licensing agency, produce the staff report and findings. Then additional review of any applications, addenda, plan review, additional site inspection, etc. listed in section 103A.6.4.2 ongoing for five years.

Commissioner Neumann said was there coordination efforts to look at who the architect and engineer of record in conjunction for the ECC list.

Mr. Vergara said yes with the ECC the Department was looking at all entity's associated with owner, engineer of record, contractor of record, and any entity the Department could see was performing the work.

Vice-President Shaddix said this list was possibly career ending as it contained criminals at the time and he wanted to be sure everything was remedied or was there a slight margin of error.

Mr. Vergara said staff had a monthly meeting to review the tracking log and any entity that met the criteria, the violations were reviewed, staff request mitigating evidence, the appellant did meet with Mr. Birmingham in December 2023 and there was still a dispute; However, the Department was still limited by the language in the litigation.

Vice-President Shaddix said was there a way to alert a contractor who had two violations that if they received one more they may potentially be on the ECC list.

Mr. Vergara said there was no way to warn the contractors because it was a rolling list where the contractor could have two violations in one year or eighteen months may pass and the list resets.

Commissioner Neumann said she understood that this program affected someone’s livelihood however it was also to protect the health and safety of the community at large and although the appellant corrected the issues it was upon being caught, and if not for being caught would the work have been completed properly. She said as a developer and someone who builds buildings and was responsible for the life and safety of those people who would reside in those buildings, this was very serious and people’s lives were being put at risk and she thought the Department did a lot of work prior to the case being heard by the BIC and perhaps a flag at the second violation could be considered by the Department.

President Alexander-Tut said she would like the Department to explore following all entities involved in the work such as architects and engineer of record.

Commissioner Meng said there was a common situation happening in San Francisco where new contractors were taking over work that was previously done, and she hoped the ECC program would encourage contractors to do their due diligence to prevent these issues in the future.

President Alexander-Tut made a motion, seconded by Commissioner Neumann, to reject the appeal and uphold the director’s determination to place Tad Nguyen on the Expanded Compliance Control Program list.

Secretary Harris Called for a Roll Call Vote:

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

The motion carried unanimously.

RESOLUTION NO. 047-24

President Alexander-Tut said according to the rules the Commission must make a written decision within ninety days.

6. Commissioner’s Questions and Matters.

- d. 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.**
- e. 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.**

Commissioner Neumann said she would like for inspection services to show time to resolution not only time to inspection on its report.

Commissioner Williams proposed to meet regarding the CEOP programs potentially in December 2024 with a report from the Department giving an overview of the CEOP programs from the Department’s perspective, and any performance related comments. The other item would be to follow up on the Mark Farrell public comment.

President Alexander-Tut said she would like a written response from the Department by November 1, 2024 regarding the Mark Farrell accusation.

There was no public comment.

7. Review and approval of the minutes of the Regular Meeting of September 18, 2024.

President Alexander-Tut made a motion, seconded by Commissioner Williams, to approve the meeting minutes of September 18, 2024.

The motion carried unanimously.

There was no public comment.

RESOLUTION NO. 048-24

8. Discussion and possible action on the annual performance evaluation for the BIC Secretary.

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

There was no public comment.

b. Possible action to convene a Closed Session.

Commissioner Neumann made a motion, seconded by Vice-President Shaddix, to convene in closed session.

Secretary Harris Called for a Roll Call Vote:

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

The motion carried unanimously.

The Commission convened a Closed Session at 12:45 p.m.

RESOLUTION NO. 049-24

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

Secretary to the Building Inspection Commission – Ms. Sonya Harris

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

President Alexander-Tut made a motion, seconded by Vice President Shaddix, to reconvene and not disclose any or all discussions held in Closed Session.

The motion carried unanimously.

There was no public comment.

RESOLUTION NO. 050-24

9. Adjournment.

Commissioner Neumann made a motion, seconded by Commissioner Williams to adjourn the meeting.

The motion carried unanimously.

The meeting was adjourned at 1:12 p.m.

RESOLUTION NO. BIC 051-24

SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS	
<ul style="list-style-type: none">Regarding the Inspection Services Update, it was requested that an item for time for resolution and not just time to inspection be added to the report. – <i>Commissioner Neumann</i>	p. 11
<ul style="list-style-type: none">Discussion regarding the Code Enforcement Outreach Program (CEOP) and Community Based Organizations (CBOs) – Ideally a report from the Department giving an overview of the CEOP programs from DBI’s perspective, and any position the department has in relation to the performance of the CEOP programs or their funding. – <i>Commissioner Williams</i>	p. 11
<ul style="list-style-type: none">Request for an update regarding the Mark Farrell extensions, and there was an accusation that the Department improperly issued extensions. Basically what happened and are the accusations true or untrue, and what to do regarding this. – <i>Commissioner Williams</i>	p.11

- | | |
|--|-------|
| <ul style="list-style-type: none">Requested that a written response from the Department be sent to the Commission by November 1st regarding the accusations relating to Mark Farrell, and if an extension is required please let President Alexander-Tut know. – <i>President Alexander-Tut</i> | p. 12 |
|--|-------|

Respectfully submitted,

Monique Mustapha, Assistant BIC Secretary

Edited By: Sonya Harris, BIC Secretary

From: [REDACTED]
To: [Harris, Sonya \(DBI\)](#)
Subject: My 150 words for the October 2024 BIC meeting minutes
Date: Monday, November 18, 2024 7:58:46 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Harris,
I just noticed that I failed to send you my 150 words for the October 2024 BIC meeting minutes.
I apologize for this oversight.

Jerry Dratler

Mr. Dratler presented examples of DBI's failure to enforce building code Sec. 106A.4.4, the section of the SF building code that prescribes when a building permit expires and becomes null and void. Mr. Dratler presented two expired Mark Farrel building permits that were improperly finalized in 2024 by DBI after the building permits became null and void in 2023.

Mr. Dratler presented a Susan Mac Cormac Taylor porch permit that was improperly finalized by DBI 764 days after the permit was null and void. Mr. Dratler presented a second Susan Mac Cormac Taylor building permit (bedroom and bath remodel) where DBI Inspector Sanders signed off on a framing inspection 135 days after the building permit was null and void.

Mr. Dratler identified DBI's failure to process building permit extensions in the DBI Permit Tracking System and how this failure undermines the integrity and utility of the Permit Tracking System.