



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

**REGULAR MEETING**

**Wednesday, October 19, 2022 at 9:00 a.m.**

**Remote Hearing via video and teleconferencing**

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**PUBLIC COMMENT CALL-IN: 1-415-655-0001 / Access Code: 2480 599 8088**

**ADOPTED NOVEMBER 16, 2022**

## **MINUTES**

- 1. The regular meeting of the Building Inspection Commission was called to order at 9:08 a.m.  
Call to Order and Roll Call.**

**COMMISSION MEMBERS PRESENT:**

Raquel Bito, **President**

Jason Tam, **Vice-President**

Alysabeth Alexander-Tut, **Commissioner, Excused**

Bianca Neumann, **Commissioner**

Angie Sommer, **Commissioner**

Sonya Harris, **Secretary**

Monique Mustapha, **Assistant Secretary**

**D.B.I. REPRESENTATIVES:**

Patrick O’Riordan, **Director**

Christine Gasparac, **Assistant Director**

Joseph Duffy, **Deputy Director, Inspection Services, Excused**

**Matthew Greene, Acting Chief Building Inspector**

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

**CITY ATTORNEY REPRESENTATIVE**

Robb Kapla, **Deputy City Attorney**

**Ramaytush Ohlone Land Acknowledgement:**

The Building Inspection Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives

of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

**2. FINDINGS TO ALLOW TELECONFERENCED MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION 54953(e). (Discussion and Possible Action)**

**The Commission will discuss and possibly adopt a resolution setting forth findings required under Assembly Bill 361 that would allow the BIC to hold meetings remotely according to the modified Brown Act teleconferencing set forth in AB 361.**

*Vice President Tam made a motion, seconded by President Bito, to continue to meet remotely for the next 30 days. The motion carried unanimously.*

**RESOLUTION NO. BIC 064-22**

**3. President’s Opening Remarks.**

President Bito said she hoped everyone had a good end of summer, and that she would hold her remarks until agenda item #12 where questions would be raised regarding the next meeting.

There was no public comment.

**4. Director’s Report.**

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

Director O’Riordan thanked the Commissioners that joined the Department’s All-Hands meeting in the month of September, and said staff appreciated so many of the Commissioners attending. The Department will be planning another All-Hands meeting in six months.

Director O’Riordan introduced the new Deputy Director of Administration & Finance Alex Koskinen who came from Zuckerberg General Hospital, and has a long history of public service including the Department of Public Works (DPW), Recreation and Parks, the Controller’s Office, Ethics, and State Public Utility Company. Mr. Koskinen joined the Department of Building Inspection (DBI) on October 17, 2022.

Director O’Riordan said the agenda would speak to a number of topics that included progress updates on reform initiatives, and a sneak peek at our new website.

Director O’Riordan said he was looking forward to sharing the progress made on the operational reforms, and he was impressed how staff had embraced the reform measures but provided feedback to make them better and stronger. He said staff was looking forward to receiving feedback and perspectives from the Commission.

Director O’Riordan said that he wanted to read some good commentary that was received regarding the Department’s staff. The first one came from a long time DBI customer who took time to recognize the fine work done by the Plan Review Services team and said “You have these great people working so hard for the public and I wanted to acknowledge the Department is turning in the right direction, and all of the efforts are not going unnoticed. I am impressed with several of the key staff during this time of reorganization of the plan review processes, especially Neville Pereira, Richard Tam, Willy Yau, Mark Walls, David Szeto, James Low, Joseph Chan, Vivian Huang, Tom Fessler, Matthew Armour, Anne Hu, Susie Song, and Nelson Lau. I could add many more names to this list, but these people in particular approached their decisions thoughtfully and consistently. Kudos to the Plan Review staff and thank you for your hard work”.

Director O’Riordan read a letter of appreciation submitted regarding Czarina Blackshear. Czarina has been with DBI for nearly 20 years in Inspection Services helping to coordinate inspections and guide customers through the process. Earlier in September Czarina’s excellent work was recognized by a customer who sent in a note of gratitude which said “I wanted to send an email to acknowledge the incredibly helpful and patient nature of Czarina Blackshear. I was feeling overwhelmed with an inspection issue our contractor neglected to handle, and Czarina walked me through the entire process to explain my next steps. I would not have been able to make my way through the process on my own and Czarina gave me all the information and links, and pointed the items I needed to complete my project. I am impressed and grateful, thank you.”

**b. Update on major projects.**

Director O’Riordan gave an update on major projects for September 2022 as follows:

- Major projects are those with valuation of \$5 million or greater filed, issued, or completed.
    - 5 permits filed
    - \$267.7 million in valuation
    - 933 net units
  - Major projects with permits issued.
    - 4 issued, primarily industrial buildings
    - \$64.3 million in valuation
    - 0 net units
  - Major projects with Certificate of Occupancy
    - 6 issued
    - \$145.9 million in valuation
    - 459 net units
- c. Update on DBI’s finances.

**Commissioner’s Questions and Comments:**

President Bito asked how did the numbers compare in item 4b to 2021 and 2020? To note pre-pandemic, during pandemic, and transitioning out of the pandemic.

Director O’Riordan said that staff would be able to update the Commission at a later date with that information.

Deputy Director Alex Koskinen gave an update on the Department’s finances for September 2022 and Fiscal Year 2022-23 as follows:

- Fiscal Year 2022 had closed and Revenues showed \$80.3 million actual received against the budgeted \$88.5 million and Expenditures were \$80.7 million versus the budgeted \$92.1 million
- For FY 2022-23 the Operating budget is projected at \$85.9 million in Revenues and \$85.9 million in Expenditures
  - Total Revenues as of September 30, 2022 was \$11.6 million,

- Operating revenues decreased by \$1.8 million compared to same period last year 2021.
- Total Expenditures as of September 30, 2022 was \$12 million, \$2 million decrease from same period last year 2021.

**d. Update on proposed or recently enacted State or local legislation.**

Assistant Deputy Director Christine Gasparac gave an update on the legislative affairs relating to the department as follows:

**File No. 220981:** Hearing to review the economic impact, real estate valuations and potential tax revenue loss, and City budget consequence of vacant office buildings and reduced daytime populations in the Economic Core, including the Financial District, SOMA and Embarcadero; and requesting the Office of Economic and Workforce Development, Assessor-Recorder, Department of Building Inspection, Controller's office, Small Business Commission, Planning Department, the City Economist, and Assessment Appeals Board to report.

**File No. 220902:** Hearing on the permitting processes, time-frames, and systemic barriers experienced by small property owners building Accessory Dwelling Units (ADUs) under the local and state mandated programs; and the applications in the pipeline under California State Senate Bill No.9 for duplex and quadplex construction from lot splits allowed in RH-1 zoned districts, including data on geographic distribution; and requesting the Planning Department and Department of Building Inspection to report.

**AB 2234:** This bill requires a local agency to process residential housing permits in a specified time period depending on the size of the development, establish a digital permitting system and develop model applications for reference.

**SB379:** This bill requires local jurisdictions to implement an online, automated permitting platform that verifies code compliance and issues permits in real time or allows local jurisdictions to issue permits in real time for a residential solar energy system with certain size.

Commissioner's Questions and Comments:

President Bito asked about a bill that was passed regarding commercial property being converted to residential property, and questioned if the Department had looked at whether or not there would be an impact to DBI?

Commissioner Neumann said the Carpenter's Union had signed on to that bill, and it related to zoning and By-Right land use bill.

President Bito asked if DBI tracked zoning bills with the Planning Department?

Ms. Gasparac said while having awareness of zoning bills because those projects would apply for a building permit; However, zoning bills did not affect the Building Code.

President Bito said she was interested to know if or how the zoning bill might affect future projects and applicants of building permits.

Ms. Gasparac said it had yet to be seen if there would be an affect to applicants from the zoning bill and would look into this in the future.

Commissioner Neumann asked if the Department was prepared to meet the requirements stated in AB 2234?

Ms. Gasparac said the Department had implemented the Electronic Plan Review (EPR) system and met the requirement for the digital permitting system, but there was a requirement of how many days to

notify the applicant of their application being complete or not. The Department has implemented a new pre-plan check system where senior plan checkers review and return applications if they are not complete. The model application that was asked to be posted will be worked on, and the Department has more than a year to have that published to the website.

**e. Update on Code Enforcement.**

Please note that agenda items e and f were called together.

Acting Chief Building Inspector Matthew Greene presented the following Building Inspection Division Performance Measures for August 1, 2022 to September 30, 2022:

• Building Inspections Performed	5,576	5,128
• Complaints Received	454	426
• Complaint Response within 24-72 hours	449	421
• Complaints with 1st Notice of Violation sent	70	47
• Complaints Received & Abated without NOV	280	229
• Abated Complaints with Notice of Violations	28	42
• 2nd Notice of Violations Referred to Code Enforcement	32	16

Acting Chief Building Inspector Matthew Greene presented the following Building Inspection Division Performance Measures August 1, 2022 to September 30, 2022:

• Housing Inspections Performed	846	762
• Complaints Received	382	376
• Complaint Response within 24-72 hours	367	345
• Complaints with Notice of Violations issued	146	131
• Abated Complaints with NOVs	457	393
• # of Cases Sent to Director's Hearing	27	33
• Routine Inspections	100	70

Acting Chief Building Inspector Matthew Greene presented the following Building Inspection Division Performance Measures for August 1, 2022 to September 30, 2022:

• # Housing of Cases Sent to Director's Hearing	91	45
• # Complaints of Order of Abatement Issues	14	13
• # Complaint of Cases Under Advisement	0	1
• # Complaints of Cases Abated	136	136
• Code Enforcement Inspections Performed	531	549
• # of Cases Referred to BIC-LC	0	1
• # of Case Referred to City Attorney	0	1

Acting Chief Building Inspector Matthew Greene said Code Enforcement Outreach Programs are updated on a quarterly as follows for the 4<sup>th</sup> quarter:

- # Total people reached out to 55,880
- # Counseling cases 491
- # Community Program Participants 7,651
- # Cases Resolved 344

**f. Update on Housing Inspection Services.**

This item was presented as part of item #4e in the update on Code Enforcement report.

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

Mr. Chris Schroeder, Building Inspector, thanked Director O’Riordan for saying he was honest, and treated people fairly in his deposition of the Dennis Richards case. Mr. Schroeder said that after a recent Chronicle article which named Jeremiah Cullinane dated September 16, 2022, in an interview he was compelled to speak with someone at Mission Local, Joe Eskenazi, along with another long time Building Inspector. He said that he spoke honestly regarding what happened and explained that it was an illegal demolition and if researched one would see that there is nothing left of the building.

Mr. Schroeder said that Director O’Riordan wrote a Notice of Violation (NOV) stating an approval from the Planning Department was needed, and there were other NOV’s on the property. He also was told that Jeremiah Cullinane said the property was a good investment. Mr. Schroeder said he reported this to City Attorney Keslie Stewart and there was no response.

Mr. Schroeder alleged that Director O’Riordan told him when he was transferred from District 4 that he had burned paper job card records in his garage. He mentioned there is a way to look on the computer for the missing documents. Also, 2365 Pacheco was Angus McCarthy’s project and when Director O’Riordan was named permanent director the NOV’s went away on that property. All of the depositions were available online and he encouraged the Commission and the public to read the depositions.

Mr. Francisco DeCosta said his comment was in regard to condos in Bayview on Ingalls and Oakdale that had burned down. He said he had made several calls to Building Inspection and was told they were waiting for a report from the Fire Department.

Mr. DeCosta said there needed to be standards and tenants should not be told to go back into a unit that had been burned. There was no adjudication leaving three Black women and their children suffering. He said he had been monitoring the Department for forty years and it should adhere to quality of life issues.

**6. Nominations Subcommittee.**

**a. Update from the Nominations Subcommittee.**

Commissioner Sommer said the Nominations Committee had met in August and discussed the vacant seats on the Board of Examiners (BOE) and Code Advisory Committee (CAC), and formulated an advertisement to fill those vacancies. The Announcement was published late August with an original deadline to apply of October, but was extended to November 4<sup>th</sup>. There were four open positions on the BOE and two open seats on the CAC, and at the time one seat on the Access Appeals Commission (AAC) would be open in November.

**b. Review and possible action to make recommendations to the Building Inspection Commission regarding current membership and reappointments to the Board of**

**Examiners (BOE). (Current BOE Members seeking reappointment: Sam H. Alkhatib, Registered Electrical Engineer; Daniel Caracciolo, Licensed Plumbing Contractor; Meng-Hsiu Chen, Registered Mechanical Engineer; Randy Collins, Licensed Structural Engineer, Specializes in Seismic Improvements; Manuel Flores, Building Trade; James Reed, Licensed Electrical Contractor; Michael Robbins, Property Owner & Licensed Architect, Civil or Structural Engineer; Bradley Sugarman, Licensed Architect; Armin Wolski, Registered Fire Protection Engineer. Terms to Expire September 15, 2025.**

*Commissioner Sommer made a motion, seconded by President Bito, to reappointment the members listed in item 6b.*

Secretary Harris called for a Roll Call Vote:

President Bito	Yes
Vice President Tam	Yes
Commissioner Alexander-Tut	Excused
Commissioner Neumann	Yes
Commissioner Sommer	Yes

*The motion carried unanimously.*

Secretary Harris read the Oath of Office to the members in attendance as follows: Daniel Caracciolo, Randy Collins, James Reed, Michael Robbins, Sam H. Alkhatib, and Bradley Sugarman.

Please note: All members listed were reappointed to the Board of Examiners (BOE). Members not in attendance were sworn in and administered the Oath of Office following the meeting.

## **RESOLUTION NO. BIC 065-22**

**7. Discussion and possible action regarding an Ordinance (Board of Supervisors File No. 220878) amending the Planning and Building Codes to increase fines and penalties for violations of Planning and Building Code provisions; clarify that violations affecting more than one unit in a building constitute multiple violations for purposes of assessing penalties; adding factors to consider in determining the appropriate amount of civil penalties; establishing penalties for residential units merged, constructed, or divided without required permits or approvals, in addition to other requirements.**

Mr. Santiago Lerma, Legislative Aide to Supervisor Hillary Ronen, gave a presentation as follows:

- This legislation was intended to hurt ‘bad actors’ where it hurts, in their finances.
- The Ordinance amends both the Planning Code and the Building Code.
- The amendment of the Planning Code would increase fees from a daily maximum of \$250 to \$1,000.
- The Building Code amendment would clarify that anyone who provided false information would be subject to civil penalties from a minimum of \$250 to \$1,000.

- The Ordinance also provided fees of \$250,000 for unpermitted demolition and up to \$500,000 for demolition of historic buildings.
- The Ordinance made distinctions from current law that one address was considered one violation, but instead would consider each unit within an address an individual violation.

Commissioner's Questions & Comments:

Commissioner Neumann asked how they arrived at the above dollar amounts?

Mr. Lerma said there were various provisions in state law about penalties and fines, so what was done was to try and balance the amounts to the maximum to create a disincentive for violations to happen without the Ordinance violating any state laws for penalties.

Mr. Lerma said the Ordinance made distinctions from current law that one address was considered one violation and instead would consider each unit within an address an individual violation. For example, there was a project on San Bruno Avenue in the Portola District where the developer added twenty extra units and the violation was only for one unit, whereas the legislation would state that each unit would be subject to the penalty.

President Bito asked how 'bad actor' was being defined.

Mr. Lerma said the definition remained in the jurisdiction of the Department and at their discretion to reduce penalties if there were a legitimate effort to correct the violation, and the Ordinance did not remove power internally from DBI.

President Bito said taking action on the Ordinance without a full understanding of who it would affect and how was questionable.

Director O'Riordan said the Department's Compliance Control Ordinance had been enacted and was working in regard to contractors or developers who had three or more serious violations in the last eighteen months and those would be enhanced penalties. On the flip side would be someone who may have an outstanding violation but were making an effort. For example, some cases could be that the application was sitting with the Planning Department for over one month and the applicant is not able to get a permit and start the work that would lead to compliance. The Department understands that and would allow time for applicants to achieve compliance in those cases. It is about what the actor had done before and what was done to achieve compliance in the past.

President Bito said the discretionary portion was a gray area and needed to be defined more clearly for the public and the BIC, so someone who may have committed a violation would understand what the steps were to remedy or cure the situation to perhaps alleviate that with a graded scale and that discretion was not necessarily in the hands of an official at DBI to ascertain.

Mr. Lerma said the Ordinance did not touch on the discretionary portion and those guidelines already exist, and as Director O'Riordan mentioned the Department had a rubric it worked from to measure whether an applicant was trying to comply versus a serial violator. The Ordinance only applied to amend the fees not the discretionary practices. For example, the San Bruno case was seen as an egregious violation and the developer had not put forward any good faith efforts to correct it, so the City was left with a building that it would have to figure out what to do with that did not have a fire escape.

Commissioner Neumann asked what year were the fees established? Mr. Lerma said he was not sure.

Commissioner Neumann said she researched the year the fees were established and it was in 2013, and there had not been any change since then.

President Bito said was the amount of \$250 to \$1000 so large of a difference from 2013.



Commissioner Neumann said she thought it was reasonable when you think of a year of violations at \$250 for a developer who would have a 90-unit project or 25-unit project the fee was within the \$90,000 range that did not seem sufficient especially when there were no efforts made to comply.

Acting Chief of Building Inspector of Code Enforcement John Hinchion said his understanding of the Ordinance was that it related to addresses that had been referred to the City Attorney for Litigation and there was a set system of fees and penalties that was in the jurisdiction of the City Attorney. The Ordinance did not affect the Department's existing processes such as the Notices of Violation and Abatement fees that would incur all of those would be within the Department was not affected by the Ordinance.

Deputy City Attorney (DCA) Robb Kapla said the changes to the Building Code were specific to provisions that would be enforced by the City Attorney subject to enforcement action in the name of the people of the state of California and City and County of San Francisco, and those would be more egregious and set a cap also laying out the considerations the court would take if the City Attorney were to bring an action against a property to determine the actual amount. These amendments set the range so the people would know what the potential recovery would be or the egregiousness of the act by counting through the criteria set, the per unit potential basis for valuation of the civil fines and these are civil fines that would be brought in civil court.

Mr. Kapla said the steps through discretion were to determine the violation which was within the department itself, going through remediation's which was done administratively and those fees were determined by the Department. This Ordinance was if something had elevated to Litigation and the City Attorney would be brought in and those fees in the Ordinance would be the basis.

President Bito said that Commissioner Neumann made a good point and that she was questioning the discretionary portion, not knowing that those particular violators would go in front of the City Attorney for those fines to be applied.

Mr. Kapla said the fines outlined in the new edition section (103A.1) sets the limit for when the City Attorney refers litigation on behalf of the people: Those fines are not set in place at the time of the Notice of Violation (NOV).

Commissioner Sommer said the Ordinance sounds as if it gave the City more leverage to provide a disincentive for 'bad actors' to do egregious violations specific to unpermitted demolition and assuming additional unapproved units.

Mr. Kapla said to clarify there was (103A) subsection (A) penalties which covered the authority the City Attorney had to bring action and added false information to omitting, disobeying, neglecting to comply or resist or oppose the execution of the Code. There was also section (103A.3.4) that was specific to demolition and provided other civil penalty provisions. The civil penalty was the cap that would be brought by the City Attorney, and it also could determine what the Department imposed for administrative fines. However, generally the Ordinance was outlining the maximum cap the City Attorney could look at when bringing forth enforcement through civil litigation.

Commissioner Sommer said in regards to the San Bruno project there were units added that someone was collecting rent on and was the Ordinance enough to deter other developers from doing the same.

Mr. Lerma said Commissioner Sommer's question was part of the analysis, and the City arrived at those costs to use the San Bruno project as an example and it was currently considered one violation paying \$250 per day while collecting rent on twenty extra units. If it was assumed those extra units were being rented for \$3,000 per month, one or two units would cover the entire cost of the penalties and still profit millions of dollars yearly, so if instead the fine was at \$1,000 daily for twenty units that would add up very quickly.

President Bito asked DCA Kapla to further elaborate on section 176.1, which eliminates Administrative Appeals of violations to the Director.

Mr. Kapla said that section was referring to the Planning Code (176.1) and it changed the way appeals were done, but said he was not as familiar with the Planning Code changes as the Building Code changes.

President Bito questioned if he could explain what was the purview of the Planning Code versus the purview of the Building Code when assessing penalties and administering them.

Mr. Kapla said the changes to the Planning Code were a little more comprehensive deleting (176.1) and changing it substantially. He would not be able to go through that section with complete competency; However, the Planning Code provisions are for when Planning would bring enforcement for violations against the Planning Code. The changes were in the Building Code sections (103A) was specific to when the City Attorney brings general violations to the Building Code, specifically in section (103A.1). There was also the demolition and these amendments were outlining solely the civil penalties and the Ordinance was to bring the penalty to the maximum discretion allowed by state law, and there were artificial caps and the court would determine the fine subject to the state limitations. At the bottom of page 29 of the packet lines 16-25 continuing to page 30 its outlined the criteria what a court looks at when an action was brought before them and that was where due process comes in for a violator and the court would look at determining factors for the final penalty.

Public Comment:

Mr. Francisco DeCosta said he lived on San Bruno and the Department did not have reliable technology, and relied on legacy IT which was outdated. He asked where was the checklist of over fifty people involved in the San Bruno project which should have been demolished, and that would have sent a message. There were all kinds of illegal activity going on at the San Bruno building and the Commission was focused on ratifying something that was wrong. Mr. DeCosta said the City needed a strong Ordinance that should be followed, and when people break the law they would be punished.

***Commissioner Sommer made a motion, seconded by Vice President Tam to recommend the approval of File No. 220878 amending the Planning and Building Codes to increase fines and penalties for violations of Planning and Building Code provisions.***

**Secretary Harris called for a Roll Call Vote:**

<b>President Bito</b>	<b>Yes</b>
<b>Vice President Tam</b>	<b>Yes</b>
<b>Commissioner Alexander-Tut</b>	<b>Excused</b>
<b>Commissioner Neumann</b>	<b>Yes</b>
<b>Commissioner Sommer</b>	<b>Yes</b>

***The motion carried unanimously.***

**RESOLUTION NO. BIC 066-22**

**8. Update regarding the Client Services Subcommittee. (Continued from the August 17, 2022 Regular Meeting.)**

Deputy Director of Plan Review Services Neville Pereira gave a presentation as follows:

- Pre-Plan Check

- Goals and Progress
- Transparency
- Site Permit Process Reform – Goal
- Site Permit Process Reform – Strategy
- Site Permit Process Reform – Partners
- Site Permit Process Reform – Process

Public Comment:

Mr. Francisco DeCosta said in this digital world this was a very complicated way of addressing a situation as far as the public was concerned and it was encouraging expeditors and those who have a lot of money can pay those expeditors to make things happen and even as the Department speaks of bringing the technology into the modern world there is still talks of Ordinances and amendments that would have to be changed. We do not have a sound Board of Supervisors and there was a lot of corruption there and the Planning Department. DBI should take a look at themselves and ask if they are moving in the right direction and Mr. Pereira made a good presentation.

Mr. DeCosta said he worked for the Department of Defense where he created infrastructure groups, maintenance and technical support groups, and real estate and property management groups all with a digital platform. The Department should be making it easier for the public and they should not have to wait three to five years for entitlements.

Commissioner's Questions & Comments:

President Bito asked if the timeline begins when the project is submitted to the Department or once it had been assigned?

Deputy Director Pereira said the timeline started at the time the project was received at the Building station, because the date of submittal to DBI showed the date fees were paid and then there are administrative duties where the project goes to the Planning Department and two submittals may go to Planning at the same time; However, it may not leave Planning at the same time and effectively the Department started its timeline at the Building Stage for that purpose.

Commissioner Sommer thanked Mr. Pereira for his efforts and said she looked forward to hearing how the work progresses.

President Bito said this was unfolding a host of good problems for the Department to pursue and clarify for the public what a building permit and a planning permit was.

Mr. Pereira said that the addenda process that is unique to San Francisco could continue and was built into the Building Code, but were called deferred submittals and the bifurcation including landing the entitlements ahead of the building permit would allow more people to come forward with full sets of plans, which is what Plan Checkers, Engineers, and Inspectors really needed to work off of because of the coordination that took place.

President Bito and Mr. Pereira had extensive discussion regarding the changes that were being made in the building permit services stages to further streamline the process and help eliminate the disconnect in design process and use of materials in the field.

There was no public comment.

**9. Update on the Department's reforms initiatives. (Continued from the August 17, 2022 Regular Meeting.)**

DBI's Compliance Manager Christopher Vergara gave a presentation as follows:

- Reforms Initiative
- Areas of Reform
- Controller's Recommendation
- Progress on Reforms
- Next Steps

Public Comment:

Mr. Francisco DeCosta said that the presentation was convoluted and it really confused the public. The Controller's Office may give all the recommendations but they failed the public. Take the example from the San Francisco Public Utilities Commission (SFPUC) and if you followed the money as the FBI did then changes could be made.

Mr. DeCosta said his advice to the Commissioners and the presenter was good leaders know the way, show the way, and go the way. He reiterated the presentation was too convoluted for the public to understand, and said someone would have to have thirty years of experience in building engineering to understand what the presenter said.

Commissioner's Questions and Comments:

President Bito thanked Mr. Vergara for his presentation, and said she would like to propose to present on the reforms monthly with a focus on specific pieces, especially those items tied to permitting and some of the operations that DBI reports to the BIC rather than quarterly debriefs.

Commissioner Sommer said she wanted to acknowledge the challenge Mr. Vergara's new position held, and agreed going forward to have regular smaller doses of updates on the reforms.

#### **10. Update on the Department of Building Inspection (DBI) website transition to SF.gov. (Continued from the August 17, 2022 Regular Meeting.)**

Communications Manager Patrick Hannan gave a presentation as follows:

- Goals
- Audience and Scope
- Key Functions
- Archives
- Live Pages – Examples
- Before and After – Examples
- Target Launch

There was no public comment.

Commissioner Questions and Comments:

President Bito said she thought it was great that website was clear graphically and the progress was amazing. She congratulated the team on a job well done!

Commissioner Sommer said she had a question in regard to archiving pages and what that meant if someone needed to access something.

Mr. Hannan said there was a link on the new page that would go back to some of the older webpages. DBI had eleven thousand webpages that were mostly meeting minutes and agendas where the BIC's subcommittees stored their public information, and those had been moved to another server per the City's requirements, however those would still be accessible if needed.

Vice President Tam said regarding to the dinosaur page that was lingering, had there been any suggestions from Digital Services on how to remedy that webpage.

Mr. Hannan said that page was part of what needed to be updated in the Oracle system and once that was completed there would be a linkage to the page. However, once the technology was updated staff would take next steps to link that particular page to the new site.

President Bito said does an applicant get a notification when their project has reached a certain station.

Mr. Hannan said those types of notifications were not available; However, the status of projects would be on the website where the applicant could check its progress on their own.

President Bito said was it possible to track the data from the website and compare it to the other data that would be presented to the BIC?

Mr. Hannan said the Permit Tracking System (PTS) was separate from the website, however the Department could track the journey of the applicant. For example, if there was a policy change or communication sent out staff would be able to see how the customer interacts with PTS and the website as they accessed different information. For example, when the Accessible Business Entrance (ABE) Program restarted, the Department was able to use the website to help drive consideration for the processes to be sure to make it as easy as possible for the customer to use.

Mr. Hannan said every Notice of Violation from 1996 for our Building Division was online and could be downloaded by the customer, so this was one innovative way the Department was looking to provide extra services while making larger structural changes.

Director O’Riordan said that just about all records had been imaged and there was not much need to go into DBI to look at microfilms.

Mr. Hannan said the Records Management Division (RMD) had upgraded their request processes where email was available and they were moving towards accepting online payments as well.

President Bito said at some time in the future the BIC should discuss the relation of the changes being implemented to RMD and how those work together.

## **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.**
  
- 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 announced the next regularly scheduled meeting would be November 16, 2022.

President Bito said she asked Secretary Harris to research agenda items from September 2021 to remind the Commission there were a number of items that had been continued or been pushed back as follows:

- Commissioner Alexander-Tut requested the status of DBI’s Racial Equity Plan and goals: Was this reported on annually.
- President Bito asked for a status update on the 5-Year Strategic Plan

- Commissioner Alexander-Tut asked about a list of issues affecting tenants.
- Commissioner Sommer requested an update from the Subcommittees, e.g. Access Appeals Commission(AAC), Board of Examiners (BOE), and Code Advisory Committee (CAC)
- In July 2022 an update on the fee study and Gartner report was requested.

There was no public comment.

**12. Review and approval of the minutes of the Regular Meeting of August 17, 2022.**

*Vice President Tam made a motion, seconded by Commissioner Sommer, to approve the Regular Meeting minutes of July 20, 2022. The motion carried unanimously.*

There was no public comment.

**RESOLUTION NO. BIC 067-22**

**13. Adjournment.**

*President Bito made a motion to adjourn the meeting, seconded by Vice President Tam.*

*The motion carried unanimously.*

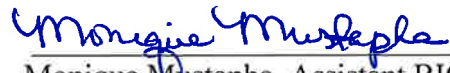
**RESOLUTION NO. BIC 068-22**

The meeting was adjourned at 11:33 a.m.

<b>SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS</b>	
President Bito asked how did the numbers compare in item 4b to 2021 and 2020? To note pre-pandemic, during pandemic, and transitioning out of the pandemic.	p. 3
President Bito asked about a bill that was passed about commercial property being converted to residential property and if the Department had looked into whether there would be an impact to DBI.	p. 4
Assistant Director Gasparac said it had yet to be seen if there would be an affect to applicants from the zoning bill and would look into it in the future.	p. 4

President Bito said she would like to propose to present on the reforms monthly with focus on specific pieces especially those items tied to permitting and some of the operations that DBI reports to the BIC rather than quarterly debriefs.	p.12
President Bito said at some time in the future the BIC should discuss the relation of the changes being implemented to RMD and how those work together and updates regarding the website as they come about.	p. 13

Respectfully submitted,

  
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Monique Mustapha, Assistant BIC Secretary

  
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Edited By: Sonya Harris, BIC Secretary