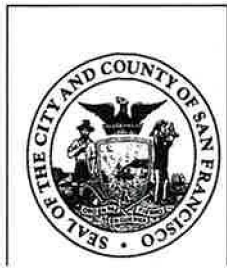


***BIC Regular Meeting
of
February 14, 2023***

***Agenda Item 13
Regular Meeting Minutes of
January 18, 2023***



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

REGULAR MEETING

Wednesday, January 18, 2023 at 9:00 a.m.

Remote Hearing via video and teleconferencing

Watch SF Cable Channel 78/Watch www.sfgovtv.org

WATCH: <https://bit.ly/3jtGFP2>

PUBLIC COMMENT CALL-IN: 1-415-655-0001 / Access Code: 2494 504 7041

DRAFT MINUTES

- 1. The regular meeting of the Building Inspection Commission was called to order at 9:09a.m.
Call to Order and Roll Call.**

COMMISSION MEMBERS PRESENT:

Raquel Bito, **President**

Jason Tam, **Vice-President**

Alysabeth Alexander-Tut, **Commissioner**

Bianca Neumann, **Commissioner**

Angie Sommer, **Commissioner**

Earl Shaddix, **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, **Chief Building Inspector**

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

Alex Koskinen, **Deputy Director, Administration & Finance**

Carl Nicita, **Legislative and Public Affairs Manager**

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 001-23

3. President's Opening Remarks.

President Bito said she wanted to look back on 2022 and some of the accomplishments of the BIC. Last year, the new Director of the Department of Building Inspection was appointed. Also, 2022 would be the last year the Commission would possess the authority to appoint the Director per the charter amendment.

President Bito said as a Commission the responsibility of appointing the new Director was taken seriously and it was understood that a change in leadership needed to happen. The last year also served as the new Director's first and the Board looked forward to his comments on his first year.

President Bito said another area to highlight was the Client Services Subcommittee meetings that focused on DBI's effort to streamline the permit process and how it was being implemented and received. The subcommittee's attention of the pre-plan check process helped DBI understand the communities' concerns through its questions and issues the subcommittee raised.

President Bito said other committees with good energy were the Nominations Committee as their activity and effort was great to see.

President Bito said speaking on behalf of the members of the BIC they were proud of the work that was put into the Commission in the year 2022. Topics discussed and tough questions that were asked would have a real impact on the City and County of San Francisco building landscape.

President Bito said January 2023 marked a full year of her being the president of the BIC and although it had been more work than anticipated, she understood the Commission was relatively new and it took time to have synergy and they were all pleased to see how they had come along the past year. The addition of Commissioner Shaddix would further add to the collaborative efforts to help DBI better serve San Francisco.

President Bito thanked her fellow Commissioners and said the questions she had for them was what did they want to focus on in 2023 both individually and as a Commission.

There was no public comment.

4. 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.

5. Discussion and possible action regarding Board of Supervisors Ordinance (File No. 220878-2) 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, in addition to other requirements.

Legislative and Public Affairs Manager Carl Nicita presented the following regarding an Ordinance to Increase Fines & Fees for Code Violations (File No. 220878-2):

- Originally introduced on July 26, 2022, and heard by the Building Inspection Commission (BIC) on October 19, 2022
- Reintroduced with substantive changes on November 29, 2022 and assigned to the Land Use and Transportation Committee
- Referred again to the BIC and other departments for review
- The Ordinance was heard and recommended for approval by the Code Advisory Committee (CAC) on January 11, 2023
- Changes since BIC last review

Commissioner’s Questions and Comments:

Commissioner Sommer said she attended the Code Advisory Committee meeting where the legislation was discussed and asked if this was a Planning Department item.

Mr. Nicita said that the Ordinance was a Planning Department item that did have Building Code language included, but it was a Planning Code provision.

Commissioner Sommer asked what was the Ordinance meant to address.

Mr. Nicita said that he was not sure, but Mr. Santiago Lerma would speak to that once he arrived. Mr. Nicita went over the changes in the Ordinance to the Building Code as follows:

- Civil penalties of all violations to the Code would not be less than \$200 and would not exceed \$1000. (This was a change from the Building Code which capped at \$500)
- Clarified each real property address, each commercial or dwelling unit within a multi-unit address was a distinct violation of the Building Code

Commissioner Neumann said the substantive change was the 40% provision, and the provision that said it was for Below Market Rate (BMR) would be exempt from the 40%.

Commissioner Alexander-Tut said it seemed the intention of the Ordinance was to avoid situations where one gigantic unit was built, and small studios to meet the requirement and eliminate those workarounds. If that was the intention of the ordinance, she was supportive and appreciated the exception for the BMRs.

Public Comment:

- Sarah Sherburn-Zimmer Executive Director of the Housing Rights Committee (HRC) of San Francisco said there had been a number of situations where someone got a permit to build one unit or five units and gets comments from the community, and then builds whatever they want. As community and tenant groups, they were tired of seeing developers get away with anything. If there were a situation that the developer had made multiple violations that they would be fined for those multiple violations, because often it was the tenant who took the brunt of bad conditions and neighbors get stuck with things that should have gone through a public process for what a developer did and there were no real consequences. HRC supports the increase in fines as well as the fines being per unit, because different units had different situations and if an owner was not taking care of it they should be fined for the range of issues. A \$500 cap did not mean much in this year's economy and possibly to raise the assessment process in the Building Code as well.
- Sean Keighran from the Residential Builders Association (RBA) said his initial review of the legislation was good and people who do illegal demolitions and activities should be punished severely. The RBA supported legislation to clamp down on such perpetrators; However, his concern was if the legislation did enough to distinguish honest contractors who made an honest mistake from those who knowingly do those illegal activities.
- Mr. Keighran said most of the contractors were immigrants and did not have college degrees and many times those contractors were exposed to some of the most sophisticated and complicated conditional use processes, If the legislation was setting up something bad or wrong to happen, then he would hate to be subjected to such fines and the criteria for being fined should include previous track records to reflect previous character.
- Mr. Keighran said few people understood how complicated the demolition process was in San Francisco, and it was his understanding that the Planning Department only had one or two experts that would go through that process and clearly determine if a property was a demolition. How could we expect contractors to get it right in the field when the Planning Department only had two people, and although he supported the legislation a lot needed to be done to strengthen the difference between those who were trying to do the right thing and trying to get the right things done and those who had bad intentions.

Mr. Santiago Lerma, Legislative Aide to Supervisor Ronen, stated that he previously came before the Commission in October or November to present on this item, and it passed unanimously. At the request of the Planning Department, they made some changes and decided it was more efficient to reintroduce the item. With regard to the Building Code there are no changes from what was presented last year, but as a reminder this Ordinance clarifies that any person who knowingly signs of on any permit will be held liable and not just the contractor, but anyone who knowingly deceives the City. The other change is the legislation makes each unit within a building have an individual violation, instead of how it is now aggregated as one violation.

President Bito said that she presumed that that the revision was really to preserve or not limit the housing stock in San Francisco.

Mr. Lerma said that this was primarily focused on egregious actors, and the example that he previously used as the genesis for the Ordinance was the San Bruno case where there were upward of 15 violations that right now are only being counted as 1, so they really wanted to go after those actors.

Vice-President Tam said when Mr. Lerma mentioned it goes up the ladder – How far up the ladder does

it go? Does it include architects, special inspections, special inspectors, what is the extent of that?

Mr. Lerma said if anyone is knowingly deceiving someone in the “web” of construction, then they would be liable.

President Bito asked DBI regarding the bad actors, what are the Department’s check points for that, such as signing off on permits or doing inspections?

Director O’Riordan stated that the Building Inspector is obligated to make sure that the work is in compliance with the initial drawings, and that it meets the requirements of the Building Code. Also, to make sure that the engineering letters are provided to DBI by the engineer for the project. Something the Department has done, since they had a combined meeting of the Building Inspection Commission and the Planning Commission several years ago was to institute a policy whereby they mandate an initial inspection for any construction that includes vertical or horizontal additions. DBI staff likes to get out to the site ahead of time and create a “road map” for the contractor, so they do not have innocent contractors who get caught up in situations for example, if there was dry rot repair. DBI has tried to put checks and balances in place and overall are looking at plans to determine if there is compliance and request engineering reports to substantiate the work that was done.

President Bito asked at what point if something egregious was found, would an Inspector issue an NOV or what actions would be taken?

Director O’Riordan mentioned that if something was found not to be in compliance with the plans while a contractor was working. For instance, a contractor would not see dry rot inside the walls prior to removing the finishes, so the Inspector would issue a Correction Notice and asked to go back to DBI and Planning and get a permit to cover the complete scope of work. However, if the person knowingly went beyond the scope of work and did additional demolition, then DBI would issue a Notice of Violation and stop the work until they secured the proper permits. If it turned out to be a very egregious situation, then the Department would refer it to the City Attorney’s Office.

Commissioner Neumann said bringing it back to the substantive change, if someone is found in violation, and the BIC already agreed on the violation piece, but there was a provision that said if you were found to be in violation essentially for 5 years you could not make any major alterations to your property. What this provision now says is that there is an exemption to that, and that exemption is essentially for affordable housing or if you are going to add additional square footage that is providing more housing. Commissioner Neumann asked if she understood that clearly?

Mr. Lerma said yes and that was at the request of the Planning Department.

Commissioner Neumann made a motion, seconded by President Bito, to approve Board of Supervisors Ordinance (File No. 220878-2) 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:

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

Commissioner Sommer	Yes
Commissioner Shaddix	Yes

RESOLUTION NO. BIC 002-23

6. Discussion regarding a fee study for the Department of Building Inspection (DBI). (Continued from the December 14, 2022 Special Meeting.)

- Goals
 - Identify existing fees/fines and authorities
 - Determine recovery cost centers
 - Allocate DBI direct and indirect expenses to recovery cost centers
 - Allocate recovery cost center expenses to fees/fines
 - Propose new fees for unfunded mandates
 - Estimate fee/fine utilization to determine fee/fine amounts
 - Propose code changes to allow fee/fine flexibility
 - Develop a reserve policy

- Fee Study – Milestones
- Fee Study – Timeline

There was no public comment.

Commissioner's Questions and Comments:

Commissioner Shaddix asked would the Commission see the fee numbers prior to April 2023 or would those fees launch and roll out to inner city communities.

Mr. Koskinen said the department would have preliminary numbers to report possibly in March 2023, and staff would report three proposals for series of fee increases and the implementation of the fees would begin the next fiscal year July 2023.

Commissioner Shaddix said what would happen if there was an uptick in revenue for the department? Given the past few week's storms, he expected there to be building permits being pulled for several repairs and he asked because the fee study was to gain revenue for DBI what would happen if there was a sudden increase in revenue.

Mr. Koskinen said that was why the language of fee flexibility was included in the Code change and the fees would not change until July 2023 and that would be when the fee flexibility would go into effect. For example, if the results of the fee study said the department needed to increase fees by ten percent that would be implemented from April and July 2023. If in between that time there was an economic recovery, DBI would have the ability to lower fees in order not to over collect.

Vice President Tam said the flexibility language was a great idea giving the department the ability to maneuver if necessary, and asked regarding the reserve policy were there scenarios presenting both if there was a reserve and if there was not one?

Mr. Koskinen said that preliminary discussions with the consultant was they had not seen this in other jurisdictions and it was a policy decision for the department. They could offer advice, but it would be the department's discretion to decide and his plan was to work with the Controller's Office whom had similar policies at the city levels, such as rainy day reserves. -- They had policies for those reserves such as when and how much was put in and taken away from those reserves, and staff would be presenting scenarios on what both sides of that would look like.

President Bito asked were the fee studies scheduled every three or four years.

Mr. Koskinen said the fee study was scheduled as needed.

President Bito asked could the next presentation show the interim dates on the flow chart.

Mr. Koskinen said they were in phase two and three at the time and most of the milestones would perhaps overlap, so there would be continued education and refinement. The consultant was performing the fee comparison to other jurisdictions and a comparison presentation would coincide with the fee options that would be presented around March 2023, and then those scenarios would be refined and presented to the BIC and the Mayor's Office.

President Bito asked would the BIC be able to review and give feedback of a draft before it turns into a recommendation?

Mr. Koskinen said a draft would be presented in March 2023 if the department was ready at that time.

President Bito said that direct and indirect costs were outlined, with direct being staff and the executive team was parsed out as an indirect cost.

Mr. Koskinen said the building rent, so there was not any administrative salary on a permit and a portion of his salary was allocated to each cost center and recovered the various fees.

President Bito asked to clarify and confirm that the salary of the executive team was shared pro-rata in the fee study.

Mr. Koskinen said yes, President Bito was correct.

Commissioner Alexander-Tut said regarding the fee study regardless of where the money comes from, whether it was Board of Supervisors (BOS) or the Mayor's Office, all of the department's expenditures would continue to be studied in the fee study, so where the money came from and how it would be allocated would be second.

Mr. Koskinen said yes there were some sources of revenue that affect fee amounts. For example, fines and if the department received more fine revenue that would decrease the need for fee revenue which would reduce fees. Also, if there were expenditures that the department incurs that were funded by a revenue transfer, for example from the general fund, then that would further reduce the need for fee revenue.

Commissioner Alexander-Tut said to repeat what Mr. Koskinen said the fees would continue to be studied, but if the expenditures came from another source of income it would then be used to reduce the fees and that report would be provided in March 2023 and then April throughout the public process.

Mr. Koskinen said what would be presented in March 2023 would be the universe of all sources and uses of expenditures and how much fee revenue was needed and appropriate to fund the uses.

Commissioner Alexander-Tut said because the department had been asked to waive fees, if those fee waivers sunset during the fee study would those fees go online.

Mr. Koskinen said if there was a fee waiver that sunsets and the department's revenues go up we hope to have the fee flexibility language to recognize that and lower fees as needed to bring down recoveries and maintain overall recoveries at the appropriate level.

Commissioner Alexander-Tut said what was the timeline for the Board of Supervisors (BOS) and Mayor's Office input, and was the Commission recommending the fee study to the BOS or was the final authority the BIC?

Mr. Koskinen said that he believed the final authority was with the BIC to approve the fee study in the

Building Code: However, the Deputy City Attorney may want to clarify.

Deputy City Attorney Robb Kapla said the Department would propose the fee changes presented to the BIC, which were recommended through an ordinance for the BOS to pass and change the Building Code.

7. Update on the Department’s launch of a pilot project using Solar App+ for single and two-unit residential rooftop solar permitting.

Deputy Director of Permit Services Neville Pereira presented the following:

- Free tool developed by the U.S. Department of Energy’s National Renewable Energy Laboratory
- Goals
- Strategy
- Objective
- How it works currently
- Options
- How it will work during the pilot program
- Pilot Program process
- Eligibility Criteria and Technical requirements

Commissioner’s Questions and Comments:

Commissioner Sommer said how many projects were there annually once the platform got going.

Mr. Pereira said he did not have that data at the time.

President Bito said for the next presentation on the Solar app to employ an expert to go over the technical details that some of the users would interface with. For example, screenshots of what the user would see at different stages and how it tied into the building requirements.

DCA Kapla said as state law was requiring use of Solar app and changes in use and fees, and timelines of approvals as well as storage requirements – Once those were presented that would be the optimal time to revamp the visuals to fit and update.

Commissioner Neumann said what were some of the places that had already implemented the Solar app.

Mr. Pereira said he did not have the list in front of him but one place was Pleasant Hill and other typically smaller jurisdictions and the Department was approached in January 2022 with the app. One consideration was there were very few installations in California, and since then the numbers have gone up significantly and he would present the list next time.

Commissioner Alexander-Tut said she thought the Solar app was terrific and that it was highly technical. She wanted to be sure local contractors would have equal access and was there a plan to do public outreach and education in particular in languages other than English. She was sensitive to an earlier comment regarding immigrant business and home owners.

Mr. Pereira said there was a plan to reach out to local contractors and the reason it had been implemented with larger contractors was because they did tens to hundreds of that particular work daily across the country, and smaller contractors were used to having plans drawn up but the application was not restricted to any users.

Mr. Pereira said DBI would be recording a demonstration of the San Francisco interface for public outreach.

There was no public comment.

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.**
- 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 said the next Regular Meeting of the BIC was February 15, 2023 and there were tentative dates for the Special Budget meetings on January 30, 2023 and February 14, 2023 but those were not confirmed.

Commissioner Shaddix said the commercial corridors were near and dear to him and the vacant store front tax was alive and well and in motion. He has worked the last three years on getting an accurate count through DBI on one particular corridor, and he said he knew there was a tremendous amount of work and great collaboration with some people to get the accurate database of vacant storefronts.

Commissioner Shaddix said he felt good about one corridor, but there were also several named corridors throughout the vacancy tax and requested either a report that showed what DBI had as vacancies in those named commercial corridors or a subcommittee or a general meeting but he did not know the exact protocol to use.

Commissioner Shaddix said what he found was the tax collector was the one collecting the vacancy tax itself, but DBI would be the better partner to identify those vacant storefronts. DBI field Inspectors had a lot to do and he did not want to put all of that on the Inspector, but he thought the best advocates in the City's commercial corridors was residence in those corridors and wanted to find a way to work with various neighborhood organizations to have the same report requested above and know exactly what was being named a vacant storefront.

Director O'Riordan said staff would do a data dive and research what the statistics were regarding the locations of vacant storefronts and those findings would be agendized at a future BIC meeting.

Commissioner Shaddix asked would that list be available to neighborhood organizations that are in those commercial corridors?

President Bito said including a bio of the Commissioners on the website would be helpful for the public, so she asked if staff could assist with doing so

Public Comment:

Mr. Jerry Dratler said he visited the DBI website and found it interesting that from the Planning Department's website the public was able to send an email directly to the Commissioners, but it was not possible on the BIC webpage. He did not see the BIC having the capability to have an easy dialogue with the citizens of San Francisco without the ability to send a Commissioner an email.

9. Director's Report.

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

Director O'Riordan said the Department's Public Advisory Forum would be held on January 25, 2023 at 3:30 pm and staff would present on the Solar application as Mr. Pereira mentioned earlier. Also, colleagues from the Permit Center and Planning Department would present updates and guidelines relating to their departments.

Director O’Riordan said over the past several weeks the City had endured much rainfall and the department’s Inspectors had been especially busy, so he gave an update on the services the Inspectors provided, such as the team of Inspectors working during the week and at least one Inspector worked on-call. Calls that would come from the 311 portal, the Fire department, and the Police department for example if a tree had fallen, landslides, and flooding of homes.

Director O’Riordan said twenty Notices of Violations had been issued for those things mentioned above and he commended the Inspectors, especially those who picked the short straw and were assigned December 2022 and January 2023, Damien Martin and Trevor Burn along with Mauricio Hernandez for their great work and commitment to the City and willingness to go the extra mile for the community. Mr. O’Riordan said there was a lot of hand holding when the Inspectors went out for fallen trees and flooding. The Inspectors did exceptionally well during the storm.

Director O’Riordan shared a note of appreciation from customer Cindy Chan to a Building Inspector stating the following: Ms. Chan would like to express her gratitude and appreciation toward Enrique Argumedo for his professional work and kindness. The San Francisco Accessible Business Entrance (ABE) program had been challenging, and she worked hard with the help of many staff from DBI, the Permit Center and the San Francisco Small Business Office. Ms. Chan said there were some people who were not kind or patient, but there were a lot of wonderful hard working people who helped guide and explain the process to comply. Ms. Chan said Mr. Argumedo was among those who were wonderful.

Director O’Riordan thanked Ms. Chan for her kind words and thanked Mr. Argumedo for his smart work and excellent customer service.

b. Update on major projects.

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

- Major projects are those with valuation of \$5 million or greater filed, issued, or completed.
 - 30 permits filed
 - \$1.256 million in valuation
 - 2,654 net units
- Major projects with permits issued.
 - 4 issued
 - \$219 million in valuation
 - 493 net units
- Major projects with Certificate of Occupancy
 - 10 issued
 - \$162 million in valuation
 - 312 net units

c. Update on DBI’s finances.

Deputy Director of Administration & Finance Alex Koskinen gave an update on the Department’s Fiscal Year finances for 2023 as follows:

- Year-end Revenues projected at \$54.7 million, 6% lower than budgeted.
- Year-end Expenditures are projected at \$87.2 million, 4% lower than budgeted.

Commissioner’s Questions and Comments:

President Bito said the Commission discussed the budget at length at the last BIC meeting, and reminded the Board there was a Closed Session item to get through and she had no further questions.

Commissioner Alexander-Tut asked if the Board finalizing a tentative budget meeting.

Secretary Harris said the budget meetings would be scheduled after the dates and schedules of all Commissioners were coordinated, and the possibility of meeting in person or remotely needed to be confirmed.

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

Legislative Affairs Manager Carl Nicita gave an update on recently enacted State or local legislation as follows:

File No. 220878-2: Proposed ordinance amending the Planning and Building Codes to increase fines and penalties for violations of Planning and Building Code provisions.

File No. 221257: Hearing regarding updates on the findings of the joint Department of Building Inspection (DBI) and Planning investigation into Building Code and Planning Code violations, including potential illegal conversions of the Twitter Headquarters located at 1355 Market Street as reported on by Forbes Magazine and potential labor and human rights violations of immigrant workers; and requesting DBI, the Zoning Administrator and Planning Enforcement, Office of Labor Standards Enforcement and Human Rights Commission to report.

e. Update on Inspection Services.

Chief Building Inspector Matthew Greene presented the following Building Inspection Division Performance Measures for December 1, 2022 to December 31, 2022:

• Building Inspections Performed	4,757
• Complaints Received	315
• Complaint Response within 24-72 hours	314
• Complaints with 1st Notice of Violation sent	67
• Complaints Received & Abated without NOV	147
• Abated Complaints with Notice of Violations	20
• 2nd Notice of Violations Referred to Code Enforcement	30

Chief Building Inspector Matthew Greene presented the following Building Inspection Division Performance Measures December 1, 2022 to December 31, 2022:

• Housing Inspections Performed	967
• Complaints Received	450
• Complaint Response within 24-72 hours	421
• Complaints with Notice of Violations issued	158
• Abated Complaints with NOVs	343
• # of Cases Sent to Director's Hearing	33
• Routine Inspections	163

Chief Building Inspector Matthew Greene presented the following Building Inspection Division

Performance Measures for December 1, 2022 to December 31, 2022:

• # Housing of Cases Sent to Director’s Hearing	39
• # Complaints of Order of Abatements Issues	10
• # Complaint of Cases Under Advisement	0
• # Complaints of Cases Abated	99
• Code Enforcement Inspections Performed	572
• # of Cases Referred to BIC-LC	0
• # of Case Referred to City Attorney	0

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

• # Total people reached out to	38,675
• # Counseling cases	1,081
• # Community Program Participants	5,898
• # Cases Resolved	236

Secretary Harris called for public comment on items 9 a-d.

- Mr. Jerry Dratler said the DBI financial presentation was much improved over prior BIC meeting presentations, and it was appreciated.
- Mr. Dratler said the schedules of the 2022 budget showed revenues of \$51 million and total expenditures of \$112 million and the operating loss would be about \$60 million.
- Mr. Dratler said DBI was an enterprise department and revenues were supposed to meet expenditures, so his greatest concern was the \$60 million operation loss would take most if not all of the prior year’s operating reserves and what happens if that was correct.

10. Review and approval of the minutes of the Special Meeting of December 14, 2022.

Vice President Tam made a motion, seconded by Commissioner Sommer, to approve the Special Meeting minutes of December 14, 2022.

The motion carried unanimously.

RESOLUTION NO. BIC 003-23

There was no public comment.

11. Discussion and possible action regarding Director O’Riordan’s performance evaluation. (Continued from the December 14, 2022 Special Meeting.)

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 Bito made a motion, seconded by Vice President Tam, to convene a Closed Session.

Secretary Harris called for a Roll Call Vote:

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

The motion carried unanimously.

RESOLUTION NO. BIC 004-23

c. CLOSED SESSION: Pursuant to Government Code Section 54957(b)(1) and the San Francisco Administrative Code Section 67.10(b). Director of the Department of Building Inspection – Mr. Patrick O’Riordan

The Commission convened a Closed Session at 11:00 a.m.

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)).

Vice President Tam made a motion, seconded by President Bito, to reconvene in Open Session and not disclose any or all discussions held in Closed Session.

Secretary Harris called for a Roll Call Vote:

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

The motion carried unanimously.

RESOLUTION NO. BIC 005-23

12. Adjournment.

Commissioner Alexander –Tut said she wanted to disclose that a couple of times the Code Enforcement Outreach Program (CEOP) was brought up and she was a former employee of an organization that was

funded by the CEOP. Also, she maintained relationships with people who receive as well as provide services from those programs and in an effort of good governance she wanted to disclose that information before the meeting ended.

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

The motion carried unanimously.

RESOLUTION NO. BIC 006-23


The meeting was adjourned at 12:48 p.m.

SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS	
Commissioner Sommer asked regarding Solar App+ how many projects were there annually once the platform got going?	Page 9
President Bito said for the next presentation on Solar App+ to employ an expert to go over the technical details that some of the users would interface with.	Page 9
Mr. Pereira said he did not have the list in front of him but one place was Pleasant Hill and other typically smaller jurisdictions. The Department was approached in January 2022 with the app and one consideration was there were very few installations in California and since then the numbers have gone up significantly and would present the list next time.	Page 9
Commissioner Shaddix requested either a report that showed what DBI had as vacancies in those named commercial corridors or a subcommittee or a general meeting but he did not know the exact protocol to use.	Page 10
Director O’Riordan said staff would do a data dive and research what the statistics were regarding the locations of vacant storefronts and those findings would be agendized at a future BIC meeting.	Page 10
President Bito asked if staff could include a bio of the Commissioners on the website, as it would be helpful for the public.	Page10

Respectfully submitted,



Monique Mustapha, Assistant BIC Secretary



Edited By: Sonya Harris, BIC Secretary