



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

NOTICE OF LITIGATION COMMITTEE MEETING

Tuesday, March 28, 2023 at 12:00 p.m.

Department of Building Inspection, 49 South Van Ness Ave., Room 511

Watch: <https://bit.ly/3kRrlrC>

Webex Webinar Password: 0328

LISTEN/PUBLIC COMMENT CALL-IN: 1-415-655-0001 / Access Code: 2480 569 2132

To raise your hand for public comment on a specific agenda item press *3 when prompted by the meeting moderator.

AGENDA:

(A portion of the BIC Litigation Committee meeting (item 3 on the agenda) will be held in Closed Session. The Committee will take public comment regarding Item 2 prior to going into Closed Session. After the Committee reconvenes in open session, the Committee will hear general public comment in Item 3, and will hear public comment on item 4 as well. Members of the public who address the Commission have the discretion on whether or not they wish to identify themselves for the record.)

Members of the BIC Litigation Committee will attend this meeting in-person. Members of the public are invited to observe the meeting in-person or remotely online as described below. Members of the public attending the meeting in person will have an opportunity to provide public comment on every item.

In addition to in-person public comment, the Building Inspection Commission will hear up to 20 minutes of remote public comment on each agenda item. The Building Inspection Commission will hear remote public comment on each item in the order that commenters add themselves to the queue to comment on the item. Because of the 20-minute time limit, it is possible that not every person in the queue will have an opportunity to provide remote public comment. Remote public comment from people who have received an accommodation due to disability (as described below) will not count toward the 20-minute limit.

To ensure the BIC Litigation Committee receives your comment on any agenda item in advance of the meeting, please email dbi.commission@sfgov.org by 5pm on Monday, March 27th or call (628) 652-3510.

MEMBERS OF THE COMMITTEE

Alysabeth Alexander-Tut, Commissioner
Raquel Bito, Commissioner
Jason Tam, Commissioner

DEPARTMENT & COMMISSION STAFF

Patrick O’Riordan, Director (628) 652-3500
Sonya Harris, Secretary (628) 652-3510
Monique Mustapha, Asst. Secretary (628) 652-3510

CITY ATTORNEY’S OFFICE REPRESENTATIVE

Jennifer E. Choi City Attorney Rep. (415) 554-3887

1. Call to Order and Roll Call.
2. **CLOSED SESSION:** Pursuant to Government Code Section 54956.9(c) and the San Francisco Administrative Code Section 67.10(d)(2).
 - a. Public Comment on all matters pertaining to the Closed Session.
 - b. Possible Action to convene a Closed Session.
 - c. **CONFERENCE WITH LEGAL COUNSEL**
Investigation and/or Litigation:
As plaintiff (Active and/or Monitored): 49 cases
As defendant: 0 cases
Review and possible action regarding Department of Building Inspection’s referrals to the City Attorney’s Office from the CED/HIS and DAD Divisions.
 - d. Reconvene in Open Session to vote on whether to disclose any or all discussions held in Closed Session (Administrative Code Section 67.12 (a)) and to disclose any direction or approval given to the City Attorney to prosecute a case (Administrative Code Section 67.12(b)).
3. Public Comment: The BIC will take public comment on matters within the Committee’s jurisdiction that are not part of this agenda.
4. Discussion and possible action to set a meeting and identify items that could be placed on the agenda of future meetings of the Committee.
5. Adjournment.

REMOTE MEETING PARTICIPATION TO ACCOMMODATE DISABILITY

The Department of Building Inspection, located at 49 South Van Ness Avenue, 5th Floor, Room 511 is wheelchair accessible. Remote public participation is available upon request for individuals who cannot attend in person due to disability. Making a request to participate remotely no later than one (1) hour prior to the start of the meeting helps ensure availability of the meeting link. Sign Language Interpretation is also available upon request.

If requesting remote Sign Language Interpretation, please submit an accommodation request a minimum of 4 business hours prior to the start of the meeting. Allowing a minimum of 48 business hours for all other accommodation requests (for example, for other auxiliary aids and services) helps ensure availability. To request accommodation, please contact Sonya Harris, sonya.harris@sfgov.org or call (628) 652-3510.

To access the meeting remotely as an accommodation, please use this link – <https://bit.ly/3kRrlrC> or call (415) 655-0001. Enter the Webinar password **0328**, and the Meeting Access Code **2480 569 2132**.

Please find instructions for how to use Webex towards the end of the agenda for the purposes of remote public comment.

Remote Meeting Access (WEBEX)

To watch via WebEx application on your desktop/laptop:

Click the link to join the meeting - <https://bit.ly/3kRrlrC>

You will then be prompted to enter the following information:

- First and Last Name: These fields are required to be entered; however, if you wish to remain anonymous, you may type “Public” in the first and last name fields.
- Email Address: This field is required to be entered; however, if you wish to remain anonymous, you may type “Public@public.com” in the email field
- Click the “Join Now” button to join the meeting

Public Comment Call-In: 1-415-655-0001 / Access Code: 2480 569 2132

Webex Webinar Password: 0328

Providing Public Comment:

- Dial in to 1-415-655-0001 and then enter access code 2480 569 2132 then #
- **Press #** again to enter meeting as an ATTENDEE
- You will hear a beep when you join the meeting as a participant. Stop and LISTEN
- Wait for Public Comment to be announced.
- When the President or Commission Secretary calls for Public Comment, dial ‘*’ then ‘3’ to be added to the speaker line.
- You will then hear “You have raised your hand to ask a question, please wait to speak until the host calls on you.” Callers will hear silence when waiting for their turn to speak.
- Ensure you are in a quiet location. Before you speak, mute the sound of any equipment around you, including televisions, radios, and computers. **It is especially important that you mute your computer (if you are watching via the web link) so there is no echo sound when you speak.**
- To withdraw your question, press ‘*’ then ‘3’. – you will hear: “You have lowered your hand.”
- When the system message says “Your line has been unmuted” - **THIS IS YOUR TIME TO SPEAK.**
- When the President or Commission Secretary states “Welcome Caller,” you are encouraged to state your name clearly. As soon as you speak, you will have **2 minutes** to provide your comments.
- Once your 2 minutes have expired, you will be moved out of the speaker line and back as a participant in the meeting (unless you disconnect). You will hear “Your line has been muted.”
- Participants who wish to speak on other public comment periods can stay on the meeting line and listen for the next public comment opportunity.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government’s duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people’s business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people’s review.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE, TO OBTAIN A COPY OF THE SUNSHINE ORDINANCE, OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE AT CITY HALL, 1 DR. CARLTON B. GOODLETT PLACE, ROOM 244 SAN FRANCISCO, CA 94102. OFFICE (415) 554-7724, FAX (415) 554-5163, E-MAIL: sotf@sfgov.org

Copies of the Sunshine Ordinance can be obtained from the Sunshine Ordinance Task Force Office, the San Francisco Public Library and on the City’s website at www.sfgov.org

If any materials related to an item on this agenda have been distributed to the Commission after distribution of the agenda packet, those materials are available for public inspection at the Building Inspection Commission Office located at 49 South Van Ness, Ste. 500, San Francisco during normal office hours.

In order to assist the City’s efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

MISSION STATEMENT

As a policy-making and supervisory body mandated by the City Charter, the seven-member citizen Building Inspection Commission will manage the Department of Building Inspection and the bodies subordinate to the Commission by overseeing the effective, efficient, fair and safe enforcement of the City and County’s Building, Housing, Plumbing, Electrical and Mechanical Codes, along with Disability Access Regulations.

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.

ACCESSIBLE MEETING INFORMATION POLICY

The meeting will be held at the Permit Center, located at 49 South Van Ness Avenue, 5th Floor. The closest accessible BART station is the Civic Center Station and 16th and Mission Streets. Accessible MUNI/Metro lines servicing this location are the J-Church, K-Ingleside, L-Taraval, M-Ocean view, and N-Judah at Van Ness and Civic Center Stations; 14-Mission; 14L-Mission, 26-Valencia, and 42-Downtown bus lines. For information about MUNI accessible services call (415) 923-6142.



The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on Mission Street in front of Discount Builders Supply for mobility-impaired persons. There is accessible parking available at the side lot of 1660 Mission Street.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call (628) 652-3510 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such persons, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

LANGUAGE ACCESS

Please note: For questions about the Language Access Ordinance, please contact OCEIA at (415) 581-2360 and ask for the Executive Director or Language Access Compliance Officer. Language Assistance: To request an interpreter for a specific item during the meeting, please contact the **Commission Secretary, Sonya Harris, at (628) 652-3510** or by email at dbi.commission@sfgov.org at least 48 hours in advance of the hearing.

POLICY STATEMENT OF PUBLIC HEARING OR MEETING

Pursuant to Section 67.7-1(c) of the San Francisco Administrative Code, members of the public who are unable to attend the public meeting or hearing may submit written comments regarding a calendared item to the BIC Commission Secretary, Sonya Harris, at 49 South Van Ness Avenue, 5th Floor, San Francisco, CA 94103 or at the place of the scheduled hearing before the proceedings begin. These written comments shall be made a part of the official public record and these comments will be brought to the attention of the members of the Building Inspection Commission. [Twenty copies are necessary.]

POLICY STATEMENT OF PUBLIC COMMENT

Pursuant to Section 67.16 of the San Francisco Administrative Code, each member of the public may address the Commission once for up to three minutes on any agenda item.

SAN FRANCISCO LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Administrative Code Sec. 16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-6445; web site: sfgov.org/ethics.