

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

**SPECIAL MEETING**

**Wednesday, December 13, 2023 at 9:00 a.m.**

**City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**

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**PUBLIC COMMENT CALL-IN: 1-415-655-0001 / Access Code: 2661 678 2123**

**ADOPTED JANUARY 17, 2024**

## **MINUTES**

### **1. Call to Order and Roll Call.**

The regular meeting of the Building Inspection Commission was called to order at 9:10 a.m., and a quorum was certified.

#### **COMMISSION MEMBERS PRESENT:**

Alysabeth Alexander-Tut, **Interim President**

Evita Chavez, **Commissioner**

Bianca Neumann, **Commissioner**

Earl Shaddix, **Commissioner**

Angie Sommer, **Commissioner**

Kavin Williams, **Commissioner**

Sonya Harris, **Secretary**

Monique Mustapha, **Assistant Secretary**

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

Patrick O’Riordan, **Director**

Christine Gasparac, **Assistant Director**

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

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

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

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

#### **CITY ATTORNEY REPRESENTATIVE:**

Robb Kapla, **Deputy City Attorney**

### **2. President’s opening remarks.**

Interim President Alexander-Tut said this was the last meeting of the Building Inspection Commission for 2023 and thanked DBI staff for all of their hard work and dedication, it was truly appreciated. She

characterized 2023 as resilient and forward moving after coming out of a pandemic and ethical issues that had been uncovered in the Department, the BIC and staff were resilient and would continue to do the work of improving the processes of the Department for the people of San Francisco.

Interim President Alexander-Tut said that the BIC would continue to implement recommendations in the Controller's report and identify, address, and cooperate with investigations regarding corruption all while continuing to balance cultural competence and language access.

Interim President Alexander-Tut said the Department was continuing to improve its delivery systems and move permits to inspections and respond to complaints to protect the rental housing stock, assist small businesses in openings, to assist with economic recovery throughout the city especially with the pop-ups and moving the permit process to be more effective and quicker.

Interim President Alexander-Tut said she was most proud of the continued attitude of balancing Code compliance with the desire to say yes and seek things that were possible. She said doing all of this while knowing there was a lot more work on the table and we would hear at today's meeting about continued compliance, ethics and continued updates in the Departments processes.

Interim President Alexander-Tut said on the agenda the BIC would hear from the Nominations Committee, four legislative items, and then would set a possible date for a Special Meeting for the fee study for January 2024.

**There was no public comment.**

**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. Chris Schroeder made the following comments:

- The last time he gave public comment he presented on the overhead regarding 3030 California, 2 Russo Street, four-story buildings requiring sprinklers on all four stories and the lack of sprinklers in here set a precedent that four-story buildings do not require sprinklers.
- He provided an email and the last email he sent was to Jimmy Guaiumi and no action had been taken on that email. On 3030 California, if you check, Director O'Riordan was the inspector and on 2 Russo, Deputy Director Matthew Greene was the inspector, those should have been caught at the rough framing stage. There was an agenda for a staff meeting that said you could put down rough framing ok pending electrical and plumbing but it should not be pending electrical and plumbing. When you try to put a six-inch pipe in a four inch wall it compromises the structural integrity.
- About a year ago he spoke about an unlawful demolition at 2207 25<sup>th</sup> Street and that Director O'Riordan did not write up the unlawful demolition he did write the Notice of Violation (NOV) only stating the front façade was there and then told Jerry Cullinan, who is in Ireland, that it would be a great property because it had a lot of NOV's and then Mr. Cullinan's brother purchased the property which still had not been completed and you could see from google and the permits there was nothing left of the original building and it was a de facto illegal demolition.

- He said on 3418 26<sup>th</sup> Street and 125 Crown Terrace, Director O’Riordan wrote NOVs on those properties and the people involved were two former BIC Presidents who were working together with Director O’Riordan and Matthew Greene was involved going outside of his district.
- He said all of those properties were in his district when he was the district inspector and basically Director O’Riordan was doing the same thing as Bernie Curran was doing the work of a district inspector while being a senior inspector. He said Mr. Jerry Dratler gave an excellent presentation at the last meeting about how the complaints were handled.

#### 4. Nominations Subcommittee.

##### a. Update from the Nominations Subcommittee.

##### b. Discussion and possible action to appoint a member to the Board of Examiners (BOE). (Term to Expire September 15, 2025.)

##### Member seeking appointment:

- **Ronnie Thomas, Registered Fire Protection Engineer seat**

Commissioner Sommer said the Nominations Committee met on October 24, 2023 and although there was a quorum one person was not in attendance, so the committee did not select a chair at that meeting. There were two other vacant seats to be filled as well. Mr. Thomas was in attendance at the BIC meeting and the Committee spoke with him in October, and he has been a Fire Protection Engineer in California for many years and met the qualifications of the seat on the Board of Examiners (BOE).

Commissioner Sommer said the Nominations Committee was recommending to the BIC approval of appointing Mr. Ronnie Thomas to the Registered Fire Protection Engineer seat on the BOE.

Commissioner Shaddix thanked Mr. Thomas for meeting with the committee by phone, even while riding the train and there was a delay, which demonstrated Mr. Thomas’ commitment and willingness to put in the extra work to be a part of the BOE.

Commissioner Shaddix said he agreed that Mr. Thomas was beyond qualified for the position, and it was a pleasure to speak with him, and he appreciated Mr. Thomas volunteering his time.

***Interim President Alexander-Tut made a motion, seconded by Commissioner Sommer, to approve Ronnie Thomas as a member of the Board of Examiners, Registered Fire Protection Engineer seat.***

**There was no public comment.**

##### Secretary Harris Called for a Roll Call Vote:

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

***The motion carried unanimously.***

#### RESOLUTION NO. BIC 064-23

The Commission thanked Mr. Thomas for his willingness to serve, and congratulated him on the appointment to the Board of Examiners.

Secretary Harris administered the Oath of Office to Mr. Ronnie Thomas.

**5. Discussion and possible action regarding Board of Supervisors Ordinance (File No. 231130) Ordinance amending the Existing Building Code to require buildings with 15 or more stories to conduct and submit supplemental inspection reports that will focus on windows and exterior glass surfaces to identify any defective or damaged materials that may cause glass failures, in addition to other requirements.**

Ms. Janey Chan, Manager of DBI Technical Services, gave an overview of the Façade Inspection program as follows:

- **Background:** Broken glass reported from seven high rises after March 2023 storms; Legislation passed to allow DBI to require buildings fifteen stories or more post 1998 to perform façade inspections and submit reports; Code Advisory Committee (CAC) recommended investigation for more targeted actions; DBI hired Wiss, Janney, Elstner Associates, Inc. (WJE) and their investigation showed 30 breakages likely caused by issues that could have been identified and mitigated prior to the storms
- **Recommendations:** Avoid use of spandrel glass, tempered glass, insulation against glass; better detection, review, and documentation by building owners; Update to the Façade Inspection and Maintenance Program (FIMP)
- **Recently passed Ordinance:** Required façade inspection for buildings with fifteen or more stories built after 1998; six months to complete inspection once notified by DBI; Process detailed in a DBI Information Sheet; One hundred percent visual inspection of the exterior glazing
- **Proposed Ordinance to require supplemental inspections:** Will focus on windows and exterior glass surfaces to identify any defective or damaged materials that may cause glass failures; Buildings that had not submitted an initial comprehensive façade report, inspections would start in 2024 and would be required every five years until comprehensive inspections report requirement begins (30 years after buildings construction); Supplemental inspections would take place between comprehensive inspections

Legislative and Public Affairs Manager Carl Nicita presented the following regarding Board of Supervisors Ordinance (File No. 231130) to require buildings with 15 or more stories to conduct and submit supplemental inspection reports:

- DBI proposed further amendments to the Ordinance
- Assert in Chapter 5F Section 504F.2 that comprehensive façade inspections must include general inspections per ASTM E2770 and detailed inspections per ASTM E2270
- Specify minimum elements of supplemental inspection reports
- Add exemption to supplemental inspection requirement if qualified professional attest to building has no spandrel glass, owner maintains log of replacement or repairs, and building does not have history within last 5 years of glass breakage

- Code Advisory Committee met on November 8, 2023 and made unanimous recommendation to the BIC to recommend approval of the Ordinance including DBI staff recommendations.

**There was no public comment.**

Commissioner’s Questions and Comments:

Commissioner Shaddix asked if DBI staff knew the number of buildings and the physical addresses of the buildings that fell under the requirement to be inspected.

Mr. Nicita said there was a database of buildings fifteen stories or more and there were about seventy-two buildings built after 1998 that were notified to be inspected and buildings built any year were more than two hundred.

Interim President Alexander-Tut asked was the supplemental inspections only for buildings with spandrel glass and what was the logic of the exemptions.

Mr. Nicita said the supplemental inspections would be for all windows and glazing systems in the building, the spandrel glass was based on WJE’s report since those were the most common to break and DBI recommended the exemption if the building did not have spandrel glass and also no history of breakages in the other glazing systems and windows they did have.

Commissioner Chavez asked why the supplement inspections were every five years.

Ms. Chan replied the FIMP already required inspections every ten years however one of the findings from the WJE investigation was some of the buildings were found to have a tempered glass with nickel sulfite contamination which could cause spontaneous breakage.

***Commissioner Shaddix made a motion, seconded by Commissioner Chavez to recommend approval of the Board of Supervisors Ordinance (File No. 231130).***

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

<b>Interim President Alexander-Tut</b>	<b>Yes</b>
<b>Commissioner Chavez</b>	<b>Yes</b>
<b>Commissioner Neumann</b>	<b>Yes</b>
<b>Commissioner Shaddix</b>	<b>Yes</b>
<b>Commissioner Sommer</b>	<b>Yes</b>
<b>Commissioner Williams</b>	<b>Yes</b>

***The motion carried unanimously.***

**RESOLUTION NO. BIC 065-23**

- 6. Discussion and possible action regarding Board of Supervisors Ordinance (File No. 230862-2) amending the Building Code to temporarily suspend the annual registration requirement and registration fee for vacant or abandoned commercial storefronts through December 31, 2024, in addition to other requirements.**

Legislative and Public Affairs Manager Carl Nicita presented the following on temporarily suspending

the annual registration fee for vacant or abandoned commercial storefronts.

- **Background:** San Francisco Building Code set forth controls requiring the owner of vacant or abandoned, commercial storefront to register with DBI within 30 days of becoming vacant, renew registration annually, pay an annual registration fee, and submit annual maintenance report to DBI
- The Mayor proposed an Ordinance to temporarily suspend the registration and fee requirements
- **Other factor:** This was a substitute ordinance that was originally proposed by the Mayor's Office and in the first Ordinance DBI had the discretion to waive the registration fee. After discussions it was thought to be more equitable to have an across the board suspension of the registration requirement and fee. The anticipated fiscal impact would have been decreased vacant registration building fees up to \$300,000.
- The vacant commercial store registry fee was complaint based, when DBI received the complaints they were inspected to determine if it was vacant, if it was the property was added to the registry and notified the property owner of its obligations. The owner would be contacted yearly by DBI to remind them of their obligations under the program and to verify if the property was still vacant.
- A challenge with the data was the individual records were not linked between years and it was difficult to track outcomes and changes.
- With the one-year suspension DBI would use the time to create a better data capture and reporting system.
- DBI's vacant commercial storefront registry and registration fee was separate from the tax assessed on vacant storefronts by the Treasurer and Tax Collector.
- The Code Advisory Committee (CAC) voted unanimously to recommend approval of the proposed Ordinance with two recommendations, one in which DBI staff disagreed with: Rescinding the Notices of Violations (NOV) issued in prior years for failure to register vacant commercial storefronts.

### **Commissioner's Questions and Comments:**

Commissioner Shaddix said how did the tax collector and DBI work together to figure what data belonged to which department.

Mr. Nicita said that the Tax Collector did not rely on the DBI's vacant registry because of the history of how the data was tracked however with the pause the Department's would have the opportunity to become better partners to rely on the registry as DBI worked to make it efficient.

Commissioner Neumann said she agreed with the DBI staff to not rescind the NOV's issued in prior years to commercial storefronts who failed to register as other owners stayed in compliance.

Commissioner Neumann said would there be work done to coordinate efforts with the Tax Collector because we had two agencies essentially doing the same thing although each were approaching from a

different policy point there seemed to be an opportunity to create some efficiency.

Commissioner Neumann said she did not take issue with pausing the fees however if pausing the work behind it was due to the lack of revenue to support the work to collect the data.

Mr. Nicita said it was discussed with Code Enforcement if the legislation passed what their ability to continue issuing NOVs looked like and it was determined to note the NOV was written as a vacant storefront and why and list the Ordinance for reference and so staff would be able to continue to collect data during the year-long suspension.

Commissioner Williams asked if the registry was publicly available.

Mr. Nicita said the registry was not posted but available by sunshine request but there would be no data for the year of 2024.

Interim President Alexander-Tut said once the suspension was over how will it be rolled out again and she would like this question posed to the Mayor’s Office and a report at the end of the year of 2024 around October or November showing the plan to go back online with implementation and improvements outlined.

Commissioner Chavez said she agreed with the Board and wanted to highlight the concern of rolling the program back out and owners being issued NOVs because they were not aware the suspension had ended and it would be great to better understand the plan to roll the program back out.

Mr. Nicita said to note that owners were not notified at the same time and the registration last for twelve months. If an owner registered in March, they would be notified the next March and with the pause the Department would have the opportunity to notify the owners at the same time

*Interim President Alexander-Tut made a motion, seconded by Commissioner Shaddix, to recommend approval to the Board of Supervisors of Ordinance File No. 230862-2.*

**There was no public comment.**

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

<b>Interim President Alexander-Tut</b>	<b>Yes</b>
<b>Commissioner Chavez</b>	<b>Yes</b>
<b>Commissioner Neumann</b>	<b>Yes</b>
<b>Commissioner Shaddix</b>	<b>Yes</b>
<b>Commissioner Sommer</b>	<b>Yes</b>
<b>Commissioner Williams</b>	<b>No</b>

*The motion carried 5 to 1, with Commissioner Williams dissenting.*

**RESOLUTION NO. BIC 066-23**

**7. Discussion and possible action regarding amendments to Administrative Bulletin 093 – Implementation of Green Building Standards (AB-093), which provides Discussion and possible**

**action regarding Board of Supervisors ordinance (File No. 230310) amending the Administrative Code, Building Code, and Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings, in addition to other requirements.**

Mr. Barry Hooper from the Department of Emergency Management presented the following:

- This item was focused on streamlining the Accessory Dwelling Units (ADU) with regard to Green Building requirements in San Francisco
- It was observed there was a differential treatment of freestanding ADUs versus being built within the building envelope.
- Context: San Francisco legalized ADUs in 2014 initially allowed in underutilized spaces in the building envelope which were treated as an alteration to an existing building.
- There were circumstances where the Planning Department were allowing building a freestanding ADU and those were treated as new construction under the Green Building Standard that triggered additional review and requirements.
- Proposed was to treat the freestanding ADU in the same way under regulation as a similar sized ADU built in the building envelope which was detailed in Administrative Bulletin 93 along with an explanation of **Attachment E: Final Compliance Verification Form.**

**There was no public comment.**

*Interim President Alexander-Tut made a motion, seconded by Commissioner Chavez to support the amendment to Administrative Bulletin 093.*

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

<b>Interim President Alexander-Tut</b>	<b>Yes</b>
<b>Commissioner Chavez</b>	<b>Yes</b>
<b>Commissioner Neumann</b>	<b>Yes</b>
<b>Commissioner Shaddix</b>	<b>Yes</b>
<b>Commissioner Sommer</b>	<b>Yes</b>
<b>Commissioner Williams</b>	<b>Yes</b>

*The motion carried unanimously.*

**RESOLUTION NO. BIC 067-23**

## **8. Update regarding Assembly Bill (AB) 1114.**

Legislative & Public Affairs Manager Carl Nicita gave an update on AB 1114 as follows:

- Effective January 1, 2024 for post-entitlement permits for housing developments, sponsored by



Supervisor Haney.

- Website Resources
- Application Completeness Determination
- Time limits to review project code compliance
- Exceptions to time limits
- Appeals

### **Commissioner’s Questions and Comments:**

Commissioner Sommer asked why Blue Beam was being replaced?

Deputy Director Pereira stated that Blue Beam would not be replaced right away, but it lacks a work flow engine/plan.

Commissioner Sommer asked if appeals would be coming to the Building Inspection Commission (BIC)?

Mr. Carl Nicita said that it is spelled out in AB 114. Also, before the item is agendaized staff will work with the Commission Secretary and the Deputy City Attorney.

Commissioner Neumann said that from a Developer’s standpoint, it does not seem worth it to appeal.

Deputy Director Pereira said that the Board of Examiners (BOE) usually hears appeals regarding Building Code issues, but in this case the BIC is the body to hear them

Commissioner Sommer asked if this required a Peer review? Mr. Pereira said a Peer review is selected if DBI needs an outside specialist, since the Department does not have this internally. It is usually for complex projects.

Commissioner Neumann said this would be good moving forward, and accountability is great for the City as a whole.

Interim President Alexander-Tut said that she was excited about this, and she would request that the BIC get some type of written manual to help understand their role.

Deputy City Attorney Robb Kapla explained that the BIC would be sitting in an adjudicatory manner.

**There was no public comment.**

### **9. Update on DBI’s reform initiative.**

Compliance Manager Chris Vergara presented the following points:

- This presentation would focus on three points: Inspection tracker update, checks and controls on unauthorized expedited permit plan reviews and approvals, and conflicts of interest, and other reform initiatives.
- Mr. Vergara thanked Megan Wall-Shui, DBI’s Data Analyst, and Management Information Services (MIS) staff who developed the tracker.

- Mr. Vergara mentioned that the tracker is currently in Beta testing.
- He explained that he is an oversight person of out of district inspections. Also, he would meet with Division Leads if needed to explain why someone was out of their district, etc.

### **Commissioner’s Questions and Comments:**

Interim President Alexander-Tut thanked Mr. Vergara for his work and providing the updates. She asked how he expected to track expediter or contractor information.

Mr. Vergara said that there is no mechanism for disclosures. Outside people have to attest that there is no conflict of interest, but there is no real way to detect contractor conflicts.

Mr. Pereira said that on permits, DBI requests primary contractor information but it only sometimes includes sub-contractor information.

Interim President Alexander-Tut asked if a section could be added stating who the expediter is? She also asked what does “approved” mean for out of district inspections?

Mr. Vergara said the out of district inspection has to be approved prior.

Interim President Alexander-Tut asked if inspectors have tablets in the field, and Mr. Vergara responded yes.

**There was no public comment.**

### **10. Update regarding permit processing time improvements.**

Communications Director Patrick Hannan presented the following items:

- Early results are promising – New In-House Review projects – Assigned to building station plan checker a median of 5 weeks faster than in January
- A few key considerations – Permitting indicators that are calculated as medians or averages will fluctuate over time until all permits in a given group “cross the finish line.”
- How does DBI measure permitting times?
  - City Performance Measures
  - Housing for All Executive Directive
- Over-The-Counter (OTC) permits issued in 2 business days or less – Target: 60% - Current Fiscal Year (FY) performance: 62%
- In-House permits – time to first review comments at building station – Target: 85% - September performance: 72% of all in-house permits
- Priority permits (In-House) – time to first review comments at building station – Target: 85% - July performance: 100% for priority projects
- Percentage of OTC no-plans building permits that are processed online (re-roofing and kitchen/bath remodels) – Target: 15% - Current performance: 14.5%
- Percentage of plumbing and electrical permits that are processed online – Target: 60% - Current FY performance: 57%
- Percentage of In-House review permits that are processed with Electronic Plan Review (EPR) – Target: 65% - Current performance: 62%

- Median days to issue housing-related permits by issuance year – Target: 50% reduction from 2022 – 18% reduction compared to last year (476 – 391 days)
- Median days with DBI plan check for housing-related permits by issuance year – Target: 50% reduction from 2022 – 13% reduction compared to last year (242 – 211 days)
- Percentage of housing-producing permits/addenda receiving first review 6 weeks or less – Target: 50% improvement from 2022 – 27% improvement between 2022 and 2023 YTD (52% - 66%)

**There was no public comment.**

## **11. Director’s Report.**

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

Director O’Riordan presented and made the following points:

The Director thanked the Commissioners and explained the purpose of that meeting.

Director O’Riordan shared that DBI is currently conducting an online survey of our customers to get a better understanding of what they feel is working well and what requires more attention.

The Department opened the survey on December 5 and will close it on December 22. We have been sending reminders and look forward to sharing the results with the BIC in January.

As this is the final Commission meeting of the year, the Director wished everyone a very happy holiday, and said that he hoped that they were able to take some time off to relax, rejuvenate and celebrate.

Director O’Riordan thanked the Commissioners for their ongoing support and encouragement throughout this past year.

The Director felt extremely fortunate to work with Commissioners as knowledgeable and thoughtful as they are. The BIC has been our partners in our ongoing efforts to improve DBI and better serve the public. Honestly, there’s no way we could do what we’re doing without your leadership and guidance.

Director O’Riordan publicly thanked the DBI staff. From the Information Counter to the Permit Technicians to the Plan Checkers, Inspectors and Administrators, to the Finance team and Records Managers and everyone in between.

Thank you. Working with you is a privilege, and I greatly appreciate the hard work and commitment you bring to DBI each day.

Commissioners, as you know, DBI has undergone a massive amount of change and improvement in the three and a half years since I took on this role.

From tightening up our inspection processes to streamlining our permitting and adopting a culture of transparency and customer service, every single DBI employee has been asked to rethink how they approach their work and adapt to a new and better way of doing business.

Change is hard for any organization. And yet the staff at DBI have embraced this change. They've thrived in it and excelled at it.

The proof is in the data. It's in the progress we're making in issuing permits. It's in the positive feedback we're getting from our customers. It's in the process improvements and our staff embracing those improvements.

Director O'Riordan thanked Commissioners for their time, vision, and dedication. Your willingness to stand with us in this time of change, to ask hard questions and to push us to aim higher.

Thank you to my colleagues at DBI. I truly appreciate your fine and work and consider myself lucky to work with every one of you.

I wish you all a very happy holiday season and look forward to the great work we'll do together in 2024.

### **b. Update on major projects.**

Director O'Riordan gave an update on major projects for November 2023 as follows:

- Major projects are those with valuation of \$5 million or greater filed, issued, or completed.
  - 3 permits filed
  - \$672.2 million in valuation
  - 672 net units
- Major projects with permits issued.
  - 3 issued
  - \$136 million in valuation
  - 184 net units
- Major projects with Certificate of Occupancy
  - 2 completed
  - \$53.1 million in valuation
  - 193 net units

### **c. Update on DBI's finances.**

Deputy Director of Administrative Services Alex Koskinen gave an update on the Department's September 2023 finances as follows:

Revenues and Expenditures:

- 42% of the year had elapsed
- Charges for Services collected is 38%
- Too early to project year-end revenue and expenditures.

- January will be the first of two major comprehensive projection efforts. Report to the Mayor and Controller Offices at six and nine months throughout the year and give projections for the end of the year of what we think the Departments expenditures and revenues will be.
- Labor was the steadiest and the Department was right on budget as 40% of pay periods.

Permits:

- Year to Date (YTD) permits were 12% higher than the prior year
- YTD valuation was 1% lower than last year

Mr. Koskinen said the budget development process for FY 25-26 had kicked off and the budget system was open. The Department was beginning to develop its budget for the next two years. Staff will present to the BIC in January 2024 and again in February 2024.

Mr. Koskinen said the Mayor's Office send out instructions to all city departments to submit mid-year budget cuts and initially DBI may have been subject to those reductions however we were not.

Mr. Koskinen said regarding the fee study draft sent out that the model was still in draft form and the numbers would change however you could get an idea of how it worked. There was still policy and legal issues being discussed and developed.

Mr. Koskinen said a huge thank you to the Management Information Services (MIS) team. Most of the presentations at today's meeting were worked on by MIS due to changes needed in the Permit Tracking System (PTS), the fee study planning had to be worked by MIS to code into PTS and as the new systems come online and got more complex the demand on their time grows yet their staffing had not yet.

Mr. Koskinen said the draft fee study that was sent out prior did not include the CBO grants however it would be included in the January Special meeting presentation as a standalone item as there were ongoing discussions with the Mayor's Office as well as pending legal analysis.

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

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

**File No. 231125:** Ordinance amending the local findings included by reference in the 2022 San Francisco Building Codes and directing the Clerk of the Board to forward the Ordinance to the California Building Standards Commission as required by State law.

- Was considered by Land Use Committee December 11, 2023 and referred to full Board of Supervisors, the Board will review after recess January 9, 2024.

**File No. 231005:** Ordinance amending the Building Code to extend the deadlines for existing buildings with a place of public accommodation to comply with the Accessible Business Entrance Program; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection's report to the Board of Supervisors regarding the disability access improvement program.

- Supervisor Mandelman was considering amendments to clarify the role of the Access Appeals Commission (AAC), the Ordinance had moved to the Land Us Committee, will update in January 2024.

**File No. 230310:** Ordinance amending the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings and to permit certain ADUs in the rear yard under the City's local, discretionary approval program.

- The state Department of Housing and Community Development requested additional amendments the Planning Department and Mayor's Office were planning to incorporate. The Land Use Committee was expected to hear those amendments January 22, 2024.

**File No. 230703:** Ordinance amending the Electrical Code to require electrical and communications work installations be performed by contractors with specific certifications under the California Labor Code.

- Supervisor Connie Chan tabled this legislation but was working with DBI to issue an information sheet to achieve the same goals as the original legislation to spell out what licenses were required for electrical permit issuance and installation. Thanks to the Code Advisory Committee (CAC), electrical division, and permit techs for working on that.

**File No. 230862:** Ordinance amending the Building Code to temporarily suspend the annual registration requirement and registration fee for vacant or abandoned commercial storefronts through December 31, 2024; and affirming the Planning Department's determination under the California Environmental Quality Act.

- This Ordinance was discussed at today's meeting in item #6.

**File No. 231130:** Ordinance amending the Existing Building Code to require buildings with 15 or more stories to conduct and submit supplemental inspection reports that will focus on windows and exterior glass surfaces to identify any defective or damaged materials that may cause glass failure.

- This Ordinance was discussed at today's meeting item #5.

**File No. 231163:** Ordinance amending the Fire Code to require filing with the Fire Department records of five-year inspection of fire sprinkler systems and annual inspection of fire alarm and detection systems, mandate a filing fee to ensure that the costs of providing for such filings are recovered without producing revenue that is significantly more than such costs, and require a minimum five feet access from the public-right-of-way to residential structures on newly subdivided lots.

- This Ordinance also included an amendment to the Fire Code to require a minimum of five feet access from the private right-of-way for newly subdivided lots under Senate Bill (SB) 093 which was discussed in today's meeting item #7. The five feet access related to DBI's ministerial review of those lot split applications and the Ordinance will go before the BIC at the January 2024 meeting for recommendation.

**File No. 231224:** Ordinance amending the Housing Code to authorize occupants of residential dwelling units to sue to enforce the prohibition on substandard housing conditions.

- Introduced by Supervisor Melgar and was referred to the Land Use and Transportation Committee and was expected to be considered in January 2024

**File No. 231118:** Resolution retroactively authorizing the Department of Building Inspection to accept and expend a grant in the amount of \$100,000 from the California Energy Commission for participation in the California Automated Permit Processing Program and for costs associated directly with the adoption and maintenance of SolarAPP+, an online, automated solar permitting platform, for the period of September 1, 2023 through May 31, 2027.

- DBI will attend the Budget and Finance Committee on January 10, 2024 to accept and expend the grant from the state.

**e. Update on Inspection Services.**

Acting Deputy Director of Inspection Services Matthew Greene presented the following Building Inspection Division Performance Measures for October 1, 2023 to November 30, 2023:

• Building Inspections Performed	5,257	4,809
• Complaints Received	411	389
• Complaint Response within 24-72 hours	410	388
• Complaints with 1st Notice of Violation sent	54	55
• Complaints Received & Abated without NOV	237	203
• Abated Complaints with Notice of Violations	53	28
• 2nd Notice of Violations Referred to Code Enforcement	34	24

Acting Deputy Director of Inspection Services Matthew Greene presented the following Housing Inspection Division Performance Measures October 1, 2023 to November 30, 2023:

• Housing Inspections Performed	851	856
• Complaints Received	448	472
• Complaint Response within 24-72 hours	437	465
• Complaints with Notice of Violations issued	129	161
• Abated Complaints with NOVs	435	350
• # of Cases Sent to Director's Hearing	26	37
• Routine Inspections	151	115

Acting Deputy Director of Inspection Services Matthew Greene presented the following Code Enforcement Services Performance Measures for October 1, 2023 to November 30, 2023:

• # Housing of Cases Sent to Director's Hearing	78	63
• # Complaints of Order of Abatements Issues	18	10
• # Complaint of Cases Under Advisement	0	0
• # Complaints of Cases Abated	89	83
• Code Enforcement Inspections Performed	515	439
• # of Cases Referred to BIC-LC	0	1
• # of Case Referred to City Attorney	0	1

Acting Deputy Director of Inspection Services Matthew Greene said Code Enforcement Outreach Programs are updated on a quarterly as follows for the 1<sup>st</sup> quarter:

- |                                    |        |
|------------------------------------|--------|
| • # Total people reached out to    | 35,848 |
| • # Counseling cases               | 590    |
| • # Community Program Participants | 5,086  |
| • # Cases Resolved                 | 191    |

**There was no public comment.**

## **12. 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.**

Interim President Alexander-Tut stated if the Expanded Compliance Control ordinance comes before the Commission again, she would like to have staff’s reflections and considerations if there is anything else that could be an amendment internally. One thing she would put forward, although it is outside of the purview of this Commission, is that the legislation would contemplate putting anyone who is on the debarment list for the City, directly onto the Expanded Compliance program. DBI has gone through a rigorous process for internal review, and it seems like a parallel process outside of DBI’s jurisdiction but just for the staff’s consideration.

- 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 BIC meeting is scheduled for January 17, 2024, and there is a Special BIC meeting on January 11, 2024.

## **13. Review and approval of the minutes of the Regular Meeting of October 18, 2023.**

*Commissioner Sommer made a motion, seconded by Commissioner Alexander-Tut, to approve the minutes of the Regular Meeting of October 18, 2023.*

*The motion carried unanimously.*

**RESOLUTION NO. BIC 068-23**

## **14. Adjournment.**

*Interim President Alexander-Tut made a motion, seconded by Commissioner Neumann, to adjourn the meeting. The motion carried unanimously.*

**RESOLUTION NO. BIC 069-23**




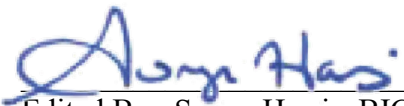
**SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS**

Interim President Alexander-Tut said regarding File No. 230862-2 once the suspension was over how will it be rolled out again, and she would like this question posed to the Mayor's Office and a report at the end of the year of 2024 around October or November showing the plan to go back online with implementation and improvements outlined, in order to allow commissioner input in that process.

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Respectfully submitted,

  
\_\_\_\_\_  
Monique Mustapha, Assistant BIC Secretary

  
\_\_\_\_\_  
Edited By: Sonya Harris, BIC Secretary