



## **DRAFT MINUTES**

### **Regular Meeting of the CODE ADVISORY COMMITTEE**

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**DATE:** May 8, 2024 (Wednesday)  
**TIME:** 9:30 a.m. to 11:00 a.m.  
**LOCATION:** 49 South Van Ness Ave, 5<sup>st</sup> Floor, Room 0511

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Note: Public comment is welcome and will be heard during each agenda item. Reference documents relating to agenda are available for review at the 49 South Van Ness Ave, 2nd Floor, TSD Counter. For information, please email [ken.hu@sfgov.org](mailto:ken.hu@sfgov.org).

#### **Present**

Ned Fennie, A.I.A, Chair  
Stephen Harris, S.E., Vice-Chair  
Brian Salyers  
John Tostanoski  
Don Libbey, P.E.  
Tony Sanchez-Corea  
Gina Centoni  
Zachary Nathan, AIA, CASp  
Henry Karnilowicz  
Jonathan Rodriguez  
Arnie Lerner, FAIA, CASp

#### **Excused**

Jim Reed  
Deepak Patankar, AIA, LEED AP  
Marc Cunningham  
Rene' Vignos, S.E.  
Paul Staley

#### **Absent**

Ira Dorter

#### **Others Present**

Thomas Fessler, DBI	Christine Gasparac, DBI	Angie Sommer, BIC
Sonya Harris, BIC	Mary Wilkinson-Church, DBI	Janey Chan, DBI
Matthew Armour, DBI	Brian Strong, ORCP	Laurel Mathews, ORCP
William Rehling, Public	Ken Hu, DBI	

- 1.0 The meeting was called to order. Roll call found a quorum of committee members were present.
- 2.0 Approval of the minutes of the Code Advisory Committee regular meeting of March 13, 2024.

- A motion was made to approve the minutes as written.
- Seconded and approved.

3.0 Recognition by the Building Inspection Commission for all members of the Code Advisory Committee.

- Building Inspection Commissioner Angie Sommer and Secretary Sonya Harris attended the meeting and presented a certificate to each member.

4.0 Discussion and possible action regarding proposed ordinance amending Building Code to extend the deadlines for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; 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.. (File # 240297)

Possible action would be to make a recommendation to the Building Inspection Commission for their further action.

**Discussion:**

- Discussion about accessibility issues was robust and included recognition of multiple previous extensions.
- A significant number of businesses still need to comply, and issues with DPW and sidewalk slopes were highlighted.
- The ABE program began in 2016 with 23,000 businesses; 16,000 are now compliant, while 4,000 still need to take action.
- The legislation aimed to improve access and protect business owners from lawsuits; the lawsuit issue has quieted down.
- Small businesses face challenges with compliance costs, especially regarding sidewalk modifications.
- Clarification is needed on what constitutes infeasibility and hardship for businesses.
- There are grants available to assist businesses, but awareness is low.
- Discussion on the impact of extensions and whether they lead to actual compliance.
- Suggestion to hold public meetings and provide more resources for businesses to navigate compliance.
- Monthly meetings are held, open to all stakeholders.
- Questions about lease responsibilities and accessible improvements are common.
- Collaboration with the Office of Small Business for lease assistance and available grants is ongoing.
- Discussion on creating a list of contractors, similar to the list of special inspectors, was brought up.
- Concerns about conflicts of interest prevent recommending specific design professionals.
- The Office of Small Business has a list of Certified Access Specialists (CAS) but not contractors.

- Certified Access Specialist Institute (CASI) is a resource for finding professionals for accessible improvements.
- Emphasis on having all resources and financial assistance information available during public meetings.

**Public Comment:** No public comment.

**Action:**

- A motion was made to approve the draft legislation as written and couple it with a robust community outreach program and address public works issues simultaneously.
- Seconded and approved.

5.0 Discussion and possible action regarding draft language for seismic retrofit criteria for certain concrete buildings and certain rigid-wall-flexible diaphragm (RWFD) buildings, applicable to the 2022 San Francisco Existing Building Code. Reference Mayor's Directive 24-01.

**Discussion:**

- Brian Strong, Chief Resilience Officer of San Francisco, introduced the Concrete Building Safety Program, part of the Community Action Plan for Seismic Safety since 2011 and emphasized the program's long-term development and measured approach.
- Laurel Mathews from Office of Resilience and Capital Planning (ORCP) gave a presentation regarding draft language for seismic retrofit criteria for the Concrete Building Safety Program.
- The Structural Subcommittee had a meeting on May 7, 2024 and a motion was passed to support the inclusion of a specific criterion in the San Francisco Existing Building Code.
- The Subcommittee also supported the development of a potential screening program.
- The existing list of buildings was being discussed.
- The finalized screening form will be distributed to those on the list.
- The screening form will help confirm whether a building is a concrete structure.
- The list is intended to ensure compliance and improve safety, similar to the soft-story retrofit program.
- Concerns exist about the impact on property values and insurance.
- The purpose of the screening form is to identify concrete buildings, not to determine their structural strength.
- The screening form is designed to be low-effort and inexpensive for building owners.
- The private school ordinance may include some concrete buildings, but it was a non-mandatory program.
- The goal is to include retrofit criteria in the code to guide future improvements.
- Historic buildings may require special considerations and may face high retrofit costs.
- Recommendations in the stakeholder report suggest a phased 25-year timeline for a potential mandatory program.
- Cost analysis for implementation not finalized; estimates made by DBI pending further details.

**Public Comment:**

- No public comment.

**Action:**

- A motion was made to support the establishment of the screening program for concrete buildings and the adoption seismic retrofit standards for concrete buildings in the San Francisco Existing Building Code (SFEBC).
- Seconded and approved.

6.0 Review of communication items. The Committee may discuss or acknowledge communication items received for discussion.

- Special meetings in the first week of June
  - A quick survey was conducted regarding members' availability during the first week of June.
- Fee increase
  - There will be a cross-board fee increase starting on July 19<sup>th</sup>, 2024.
- Updates on actions taken by the BIC and BOS regarding proposed ordinances that were discussed and voted on by the CAC in 2023.
  - The CAC 2023 Summary was updated with actions taken by the Building Inspection Commission and the Board of Supervisors.

7.0 Public Comments on items not on this agenda but within the jurisdiction of the Code Advisory Committee. Comment time is limited to 3 minutes or as determined by of the Chairperson.

- No public comment.

8.0 Committee comments on items not on this agenda.

- Site permit reform
- Permitting process

9.0 Subcommittee Reports: (Discussion & possible action)

a. Housing Code Subcommittee:

Subcommittee Chair: Henry Karnilowicz  
Subcommittee Members: Ira Dorter  
Jim Reed  
Paul Staley

- No meeting. No report.

b. Mechanical Electrical Plumbing & Fire Subcommittee:

Subcommittee Chair: Brian Salyers, F.P.E.  
Subcommittee Members: Henry Karnilowicz  
Jim Reed

- No meeting. No report.

## c. Administrative &amp; General Design and Disability Access Subcommittee:

Subcommittee Chair: Jonathan Rodriguez  
Subcommittee Members: Arnie Lerner, F.A.I.A., CASp  
Tony Sanchez-Corea  
Zachary Nathan, A.I.A., CASp  
Henry Karnilowicz  
Deepak Patankar, AIA, LEED AP

- The Subcommittee held a meeting on May 8, 2024, during which a motion was passed to support deadline extensions for the ABE program.

## d. Structural Subcommittee:

Subcommittee Chair: Stephen Harris, S.E.  
Subcommittee Members: Rene' Vignos, S.E., LEED A.P.  
Marc Cunningham  
Ned Fennie, A.I.A.  
Don Libbey, P.E.

- The Structural Subcommittee had a meeting on May 7, 2024 and a motion was passed to support the inclusion of a specific criterion in the San Francisco Existing Building Code. The Subcommittee also supported the development of a potential screening program.

## e. Green Building Subcommittee:

Subcommittee Chair: Zachary Nathan, AIA, CASp  
Subcommittee Members: Gina Centoni  
Henry Karnilowicz  
Jonathan Rodriguez

- No meeting. No report.

## 10.0 Committee Member's and Staff's identification agenda items for the next meeting, as well as current agenda items to be continued to another CAC regular meeting or special meeting, or a subcommittee meeting.

- When does the clock start for applying for an extension for a filed permit
- Addressing
- Update on ABE program

## 11.0 Adjournment.

- The meeting was adjourned at 11:14 a.m.