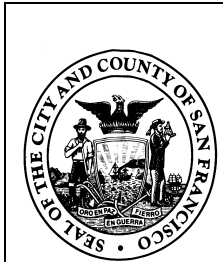


***BIC Special
Meeting of
March 20, 2024***

***Agenda Item 9
Regular Meeting Minutes
of October 18, 2023 and
January 17, 2024***



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

REGULAR MEETING

Wednesday, January 17, 2024 at 10:30 a.m.

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416

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

WATCH: <https://bit.ly/3NSvvr0>

PUBLIC COMMENT CALL-IN: 1-415-655-0001 / Access Code: 2660 060 4544

DRAFT 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 meeting was the first of the year and the next few meetings would be characterized as special meetings focusing on the department’s budget. She thanked staff for

their commitment and steadfastness while they all held a high level of ethical standards as reports of bad practices of the past continued to be revealed.

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. Jerry Dratler shared a presentation and made the following points on the DBI Expanded Compliance Control Program (ECC):

- ECC required DBI to track significant violations and all parties associated with such violations
- ECC was created in 2021 as a way to ensure contractors, design professionals, building owners, and their agents fully complied with the City of San Francisco’s Building Code.
- The DBI ECC program was ineffective and poorly managed.
 - Mr. Dratler said at the time he prepared this presentation four violators should have been added to the ECC list: Ginny Santos, Tod Van Nguyen, John Pollard, and Harold Howell
- Housing Code violations should be included in the ECC program.
- DBI should be required to present a self-assessment of the ECC program within the next 90 days at a future BIC meeting.

Mr. Christopher Schroeder shared information and questioned the differences in Interim Director and Acting Director position past minimum qualifications and salary.

4. Discussion and possible action to follow the Board of Supervisors’ remote public comment policy that eliminates remote public comment except when necessary to enable the participation of people with disabilities.

Commissioner Chavez said that she did not think closing public comment online was necessary and it had not posed any issues for the current Commission, especially since they met on a weekday morning which gave the public an opportunity to engage with the Commission.

Interim President Alexander-Tut said she agreed that public comment online should remain open as there was not always time preparation for an accommodation.

There was no public comment.

Commissioner Williams made a motion, seconded by Commissioner Chavez, to continue remote 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 002-24

- 5. Discussion and possible action regarding Board of Supervisors Ordinance (File #231163) amending the Fire Code to require filing with the Fire Department records of five-year inspection of fire sprinkler 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.**

Legislative Affairs Manager Carl Nicita said this Ordinance was sponsored by Supervisor Connie Chan and Legislative Aide Frances Hsieh would share a few comments from the supervisor's office.

Ms. Hsieh, Legislative Aide to Supervisor Chan, read a letter into the record written by Supervisor Connie Chan who was unable to attend the BIC meeting.

Mr. Nicita provided the following points on the Ordinance:

- In attendance was the Fire Department's Deputy Chief of Operations Darius Luttrupp and Fire Marshal Ken Cofflin.
- The Ordinance had two parts one requiring fire sprinkler and alarm inspections with the Fire Department and the other was requiring five feet of access from the public right-of-way on newly subdivided lots.
- The second piece should be the focus of the BIC, though in the Fire Code the Ordinance was referred to the BIC for recommendation, because the access requirement related to lot split applications requiring ministerial review by DBI under Senate Bill (SB) 9 from 2021.
- SB9 requires ministerial approval for the subdivision of a parcel in a single family zone in to two parcels. It facilitates the creation of housing units in the lot area typically used for one single family home (SFH). Key provisions of SB9 included that the local agency modify or eliminate development standards on a project by project basis if they were to prevent the construction of up to two units of at least eight hundred square feet in size on both resulting lots.
- The Fire Department determined its operational needs require a minimum five feet of access to residential buildings on newly subdivided lots and the existing Fire Code did not address the minimum access to the public right-of-way for residential structures on subdivided lots.
- DBI reviews applications to subdivide a parcel in a single family zone into two parcels under SB9. An application made under SB9 must be considered ministerial without discretionary review or hearing, though DBI may apply objective standards to those applications and the five-foot access would be one of those standards.
- Also, the requirement was subject to Administrative Bulletin (AB) 005; the procedures for approval of local equivalencies.
- The Code Advisory Committee met on January 10, 2024 and were in support of the Ordinance and requested clarification on the inspection piece that Ms. Hsieh spoke to.

Fire Marshall Ken Cofflin made the following points regarding Ordinance File No. 231163:

Mr. Cofflin shared a presentation and said as we build additional housing emergencies would happen and someone has to be able to get to it. Up to two units may be built in the back but if something happened how would emergency services get back there. What was enough distance for fire ground operations.

Mr. Cofflin said we had members go out and try different ways to access the backs of these lots which was why five feet was decided upon. This bill was meant for almost every other jurisdiction except San Francisco because we had zero lot lines, topography and hills made it much harder to act. Was there enough space for fire crews to act. There would be four firefighters carrying a 35-foot ladder weighing nearly one hundred pounds as well as another crew member carrying a three-inch line charger to operate the ladder.

Mr. Cofflin said the new regulation allowed for a building up to twenty feet to be built in the back with four foot setbacks from the property line fences. It was possible to have two units twenty feet tall eighty feet back from the street and without the five-foot change fire crew would only have three feet to maneuver.

Fire Department Chief of Operations Darius Luttrupp made the following points:

- To make one correction the ladder weighed closer to one hundred and eighty pounds.
- The size of the ladder matters, because if a fire in a rear building spread to additional properties the ladder would be needed in order to have flexibility in rescues.
- As demonstrated in the presentation of the Masonic building fire the greatest threat to San Franciscans was conflagration. The fire was already impinging on its two structures north and south of it and had the potential to spread greatly.
- There was a legacy form of construction in San Francisco, a lot of carriage houses or other full size Victorian structures behind a Victorian structure in parts of the city where that was a common practice and those are very difficult fires to fight.
- At the time the bill was being introduced the Masonic fire was the most recent experience the Fire Department had going into the conversation of the bill.
- A fire reported such as the one presented, up to thirty firefighters would be deployed along with at least seven pieces of equipment, overhead of three chiefs, an ambulance, an Emergency Management Services supervisor, public information officer and more.
- The Masonic immediately became a three-alarm fire which means a significant amount of personnel moving around. In that fire the tradesmen space did become impinged causing personnel to have to gain access from the adjacent building to rescue the two people from the rear.
- The ability to have the space was directly related to operational necessity.

There was no public comment.

Commissioner's Questions and Comments:

Commissioner Neumann said would the permit for the lot split continue to be reviewed by DBI, and would the Ordinance remove some of the discretion from the review process and was there an Administrative Bulletin (AB) to explain the process further.

Fire Marshall Ken Cofflin said the Ordinance allowed for Planning to see at the beginning of the review process the required five feet alleviating discretion however that was for new lot lines but for existing buildings the five feet was still required but may be built above granted there was a sprinkler system and the AB would be published once the Ordinance was approved.

Commissioner Shaddix said he was generally in favor of the Ordinance moving forward and that he had been in San Francisco about forty years and witnessed a few fires in the city and felt good that he lived in a newer building that provided the requirements being mentioned and rescue teams were able to enter the building more than one way and he thanked the Fire Department for their work.

Commissioner Chavez said what was the average right-of-way access was. Mr. Cofflin said most single family dwellings had access through the front door however the Fire Department would not go through the front door to gain access to the rear of the dwelling and with the creation of Accessory Dwelling Units (ADU), junior ADU which was an attachment of the original dwelling and also attached and detached ADUs in the rear of the dwelling the Ordinance would not affect those it would still allow for the three-foot access.

Mr. Cofflin said the concern of Senate Bill (SB) 9 was two dwelling units were allowed in the back of the house and the amount of fire load made the Fire Department look at the need to improve their access and the Ordinance was solely for a lot split.

Interim President Alexander-Tut said did the Fire Department have discretion to when reviewing plans to require a five-foot entrance if the plans show three feet.

Mr. Cofflin said under SB9 the discretion was to require four feet however the Fire Department was requesting to expand to five feet.

Commissioner Chavez said she thought it made sense to keep the process discretionary.

Mr. Cofflin said it was a concern that who do they give discretion to requiring the three or four or five-foot access.

Commissioner Neumann said she was concerned that pre-existing buildings that had tradesmen alleys would deter and alter their building to create the five-foot space.

Commissioner Williams said he was in agreement with the Fire Department to address the unique fire needs of San Francisco to protect the public health and safety.

Commissioner Williams asked Supervisor Chan Legislative Aide to comment on why the Code Advisory Committee recommended splitting the legislation.

Ms. Hsieh said Supervisor Chan's letter pointed out that if the city was to make changes to the Fire Code, especially to address an issue that was being seen which was access to the fires in the denser neighborhoods and the Ordinance was addressing the two parts as a whole and making sure preventative measures were part of the access as well.

Mr. Nicita said requirements under SB9 prohibits discretionary review and departments would have to follow objective standards and the five feet would be the objective standard.

Commissioners continued discussion around whether the extra foot of space requested would impact future housing development.

Public Comment:

Mr. Korey Smith on behalf of Housing Action Coalition said there was concern given San Francisco’s uniquely smaller lots, that the five-foot requirement would have unintended consequences in relation to housing production in the future, and the design community was not contacted on this but they are willing to work together to be sure the city was not overstepping the state laws.

Ms. Serina Calhoun said she opposed the legislation and there was an ordinance the constraints reduction that allowed twenty-foot wide subdivisions in the city and this legislation would allow for five-foot setback open to the sky which would render lots unbuildable. The legislation was not written in response to SB9. It concerns her that architects were not included in the discussion. Ms. Calhoun mentioned the old building on Masonic as an example, and said that new construction is sprinklered, so she did not see this as an “apples to apples” situation. A change to the Building Code has measured data.

Commissioner Shaddix made a motion, seconded by Commissioner Williams, to approve Ordinance File # 231163.

Secretary Harris Called a Roll Call Vote:

Interim President Alexander-Tut	Yes
Commissioner Chavez	No
Commissioner Neumann	No
Commissioner Shaddix	Yes
Commissioner Sommer	Yes
Commissioner Williams	Yes

The motion carried 4-2 with Commissioner Chavez and Commissioner Neumann dissenting.

RESOLUTION NO. 003-24

6. Director’s Report.

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

Director O’Riordan made the following points:

- In 2023, created new online portal for solar permits
- Received \$100,000 grant from the to offset the Department’s implementation costs
- Built online tools so customer can submit record request online and receive copies of plans electronically
- DBI relocated the information counter from the first floor lobby to the second floor in the Permit Center

- November 2023 some of the earlier efforts to improve the permitting process such as pre plan check and dynamic staffing assignments began to really produce results
- Compared to January the October 2023 permit assignment times were thirty-three percent faster and the first planning review conducted at the building station was completed forty-three percent faster. A full three weeks faster from in October versus January 2023
- In May 2023, the Department supported Mayor Breed’s efforts with a comprehensible proposal including teaming up with City partners to implement a new one hundred percent digital in house process, using concurrent electronic plan review
- A new webpage was launched of in-house review forms and application portals to make it easier for customers to find documents and submission pages needed to apply for building permits
- A results review function introduced in July 2023 added to the Permit Tracking System (PTS) substantially improved the transparency of the Departments reviews
- The Department commissioned a study after a series of high-rise window failures that revised the façade ordinance to provide additional guidance and require additional inspections
- The Department streamlined the process to legalize commercial awnings for small businesses who were targeted for noncompliance without penalizations
- DBI leads the way to the city back on track with building code changes including conversions of business to residential buildings
- Shout out to the administrative staff who worked through the holiday in facilitating preparation of Administration Bulletin 1114 and there was much more coming in 2024

b. Update on major projects.

Director O’Riordan gave an update on major projects for December 2023 as follows:

- Major projects are those with valuation of \$5 million or greater filed, issued, or completed.
 - 6 permits filed
 - \$190.1 million in valuation
 - 179 net units
- Major projects with permits issued.
 - 2 issued
 - \$52.5 million in valuation
 - 92 net units
- Major projects with Certificate of Occupancy
 - 4 completed
 - \$65.8 million in valuation
 - 210 net units

c. 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.

Mr. Nicita said this Ordinance passed and had its second reading at the Board of Supervisors (BOS) January 23, 2024.

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.

Mr. Nicita said Supervisor Peskin accepted the recommendations of the BIC and this Ordinance would be heard by BOS on January 23, 2024.

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.

Mr. Nicita said after discussion with DBI staff the Mayor's office requested a continuation to a date to be determined and if remained a priority it would be considered in a broader budget process due the fiscal impact it would have on the Department.

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 was considered at this meeting agenda number five.

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.

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.

Mr. Nicita said File No's. 230310 and 231005 were considered at the BIC October 2023 and were pending.

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.

Mr. Nicita said this Ordinance had been referred to the Land-Use Committee for a public hearing.

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 cost associated directly with the adoption and maintenance of SolarAPP+, an online, automated solar permitting platform, for the period of September 1, 2023.

File No. 231120: Hearing regarding the timeline for lead and asbestos remediation completion and the consequences of extensive closure of parts of the Richmond Senior Center on operations and service delivery; and requesting the Department of Building Inspection, Department of Disability and Aging Services, and Felton Institute to report.

File No. 230464: Hearing to discuss San Francisco’s efforts to prepare for, respond to, recover from a large earthquake, and a status update on pre-disaster hazard mitigation (retrofit programs under the Earthquake Safety Implementation Program), strengthening of city-owned buildings, and the Tall Buildings Safety Strategy, as well as post-disaster response (post-disaster building safety inspection and emergency response); and requesting the Department of Building Inspection, Office of Emergency Management, and Office of Resilience and Capital Planning to report.

Mr. Nicita said DBI was requested to participate in hearings for File No. 231120 with the Human Services Agency scheduled with the Neighborhood Services Committee January 25, 2024 and File No. 230464 hearing would be held by the Land Use and Transportation Committee in the near future not January 22, 2024.

d. 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 December 31, 2023:

• Building Inspections Performed	5,257	4,809	4,480
• Complaints Received	411	389	285
• Complaint Response within 24-72 hours	410	388	285
• Complaints with 1st Notice of Violation sent	54	55	65
• Complaints Received & Abated without NOV	237	203	145
• Abated Complaints with Notice of Violations	53	28	33
• 2nd Notice of Violations Referred to Code Enforcement	34	24	21

Acting Deputy Director of Inspection Services Matthew Greene presented the following Housing Inspection Division Performance Measures October 1, 2023 to December 31, 2023:

• Housing Inspections Performed	851	856	802
• Complaints Received	448	472	370
• Complaint Response within 24-72 hours	437	465	361
• Complaints with Notice of Violations issued	129	161	136
• Abated Complaints with NOVs	435	350	336

• # of Cases Sent to Director's Hearing	26	37	31
• Routine Inspections	151	115	89

Acting Deputy Director of Inspection Services Matthew Greene presented the following Code Enforcement Services Performance Measures for October 1, 2023 to December 31, 2023:

• # Housing of Cases Sent to Director’s Hearing	78	63	44
• # Complaints of Order of Abatements Issues	18	10	13
• # Complaint of Cases Under Advisement	0	0	0
• # Complaints of Cases Abated	89	83	107
• Code Enforcement Inspections Performed	515	439	438
• # of Cases Referred to BIC-LC	0	1	0
• # of Case Referred to City Attorney	0	1	0

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

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

e. Update on DBI’s finances

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

Revenues:

- 50% of the year had elapsed
- Total year-end revenues were projected to be \$60.4 million, (4% below budget)

Expenditures:

- Total year-end expenditures were projected at \$89 million (3% below budget) and there was no plan to use any more of the fund balance this fiscal year

Permits:

- Year to Date (YTD) permits were 9% higher than the prior year
- YTD valuation was 11% lower than last year

Public Comment:

Mr. Jerry Dratler gave a presentation and made the following points:

- Alteration inspection records in the DBI Permit Tracking System (PTS) by DBI employees is likely illegal because it is illegal to alter public records.

- The BIC should ask DCA Kapla to issue a written opinion in thirty days to whether DBI's after-the-fact changes to inspection records in PTS is an illegal alteration of public records.

Mr. Christopher Schroeder said he had seen the same as Mr. Dratler and DBI was focused on the numbers especially in Code Enforcement, and when it says permit research that could go on for years but will reflect the Department responded within forty-eight hours. Mr. Schroeder also mentioned projects at 24 Ord Street and 2178 Pine Street.

7. Discussion and possible action on the proposed budget of the Department of Building Inspection for fiscal years 2024/2025 and 2025/2026.

Deputy Director of Finance Alex Koskinen gave a presentation and made the following points:

- February 21 – All departments submit a 2-year budget proposal to the Mayor's Budget Office and Controller.
- March to April – BIC recommends proposed legislation adopting new fees and fee adjustment process.
- May – Board of Supervisors (BOS) modifies Mayor's proposed budget.
- Late July – BOS adopts final budget and trailing legislation.
- Late August – Department certification letters sent to Controller and Mayor.
- Financial history of DBI the last twenty years; the last few years shows the intent to close the structural deficit and bring revenues back in line with expenditures.
- The dotted blue lines had not been incorporated into the budget; However, given the six month projections of \$3 million revenue shortfall it was likely the budget would be adjusted downward by \$3 million each year and that was what the blue dotted line represented.
- If revenue needed to be adjusted downward the fund balance would be lower and the revenue would be lower; However, the tentative plan was to increase fees slowly with step increases to fully achieve cost recovery in fiscal year 2027.
- \$35.9 million available fund balance is projected at the end of fiscal year 2024.
- It was very early in the budget development process and very little had been done to the budget, and it was less than a week since the last fee study.
- The only changes that had been made to the budget so far were adding revenue estimates from the fee study, technical salary and benefit changes made by the Controller, ten percent general fund support reduced per Mayor citywide direction, and fund project cleanup.
- Meetings with department heads and managers to figure what the priorities are for the upcoming year, additional staff, software, trainings, furniture, and overhead.

Public Comment:

Contracts and Services Director at Causa Justa (Just Cause), Becky Hom, (Keep Serina Calhoun and an online caller from the Housing Rights of San Francisco spoke) spoke on the budget cuts and fee increases and how they would affect customers, residents, and advocate programs of San Francisco.
Commissioner's Questions and Comments

Commissioner Williams said was the fee increased being phased in finalized.

Mr. Koskinen said fee study showed the maximum that could be charged and the amount needed to recover costs. The Department was implementing charges less than those numbers to avoid significant

increases and impact on customers.

Commissioner Williams said were there other options than DBI being the sole provider of subsidies due to not charging the full cost.

Mr. Koskinen said that decision would be made by the Controller's Office and the Mayor's Office.

Interim President Alexander-Tut said when was the Commission finalizing the fee study.

Mr. Koskinen said the next meeting was when the BIC would discuss and recommend approval of the budget to be sent to the Mayor's Office.

8. Commissioner's Questions and Matters.

a. Inquiries to all 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 scheduled for February 21, 2024 and the dates offered for a Special meeting were February 7 and 13.

Commissioner Neumann said she proposed moving the start time from 9:00 a.m. to 9:30 a.m., and adjusting the start time for both regular meetings of the Abatement Appeals Board (AAB) and Building Inspection Commission (BIC).

There was no public comment.

9. Review and approval of the minutes of the Regular Meeting of December 13, 2023.

Commissioner Shaddix made a motion to approve the Regular Meeting minutes of December 13, 2023, seconded by Interim President Alexander-Tut.

The motion carried unanimously.

RESOLUTION NO. BIC 003-24

10. Discussion and possible action regarding Director O'Riordan's performance evaluation.

a. Public Comment on all matters pertaining to the Closed Session.

Mr. Christopher Schroeder shared a document on the overhead projector and made comments that were not pertaining to the item.

b. Possible action to convene a Closed Session.

Commissioner Neumann made a motion, seconded by Interim President Alexander-Tut, to convene in closed session.

Secretary Harris called 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 004-24

- c. CLOSED SESSION:** Pursuant to Government Code Section 54957(b) and the San Francisco Administrative Code Section 67.10(b).

The Closed Session began at 1:02 p.m.

Director of the Department of Building Inspection – Mr. Patrick O’Riordan

- 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)).**

The Commission reconvened in Open Session at 1:09 p.m.

Interim President Alexander-Tut made a motion to reconvene in Open Session, seconded by Commissioner Neumann.

The motion carried unanimously.

RESOLUTION NO. BIC 005-24

Interim President Alexander-Tut said based on scheduling this item was continued to the Regular meeting of March 20, 2024.

11. Adjournment.

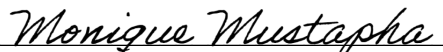
Interim President Alexander-Tut made a motion, seconded by Commissioner Chavez, to adjourn the meeting.

The meeting was adjourned at 1:10 p.m.


RESOLUTION NO. BIC 006-24

SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS	
Commissioner Neumann said she proposed moving the start time from 9:00 a.m. to 9:30 a.m., and adjusting the start time for both regular meetings of the Abatement Appeals Board (AAB) and Building Inspection Commission (BIC). – Neumann	Page 12

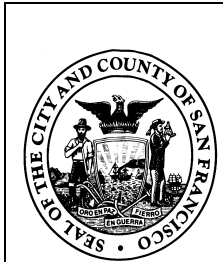
Respectfully submitted,



Monique Mustapha, Assistant BIC Secretary



Edited By: Sonya Harris, BIC Secretary



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

REGULAR MEETING

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

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416

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

WATCH: <https://bit.ly/45oUprM>

PUBLIC COMMENT CALL-IN: 1-415-655-0001 / Access Code: 2663 710 1172

DRAFT MINUTES

1. Call to Order and Roll Call.

The regular meeting of the Building Inspection Commission was called to order at 9:05 a.m., and a quorum was certified.

COMMISSION MEMBERS PRESENT:

Alysabeth Alexander-Tut, **Interim President**

Evita Chavez, **Commissioner, Excused**

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 she applauded the Department in their continued focus to lead San Francisco’s economic recovery and the work the staff did to make the pop-ups and vacant buildings a

success was inspirational and brought some fun to places that would be sitting unoccupied. She said she wanted to recognize the extra work that had gone into preparations of the Asia Pacific Economic Cooperation (APEC) summit to keep the city safe while many heads of states were visiting, and that the city was relying on the good work the Department was doing.

Interim President Alexander-Tut said today's meeting was mostly legislation regarding items the BIC may recommend to the Board of Supervisors (BOS). Also, she applauded the Department on its response to the sleeping pods issue, and her own set of values were reflected in the Department's actions that need for housing was balanced with safety and find solutions for safe housing without adding to the housing crisis.

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. Jerry Dratler gave a presentation (on file) and made the following points:

- DBI receives 11,000 complaints per year and were closed on average within 40 days. Twenty percent of those complaints were never closed.
- Chief Building Inspector Matthew Greene should report on the average number of days required to close a DBI complaint, not the number of days to respond to the complaint.
- Applauded the BIC for ensuring DBI gained funding for the Community Based Organization (CBO) grant programs.
- Controller's recommendation from 2021 had not fully been implemented, two of which were: Create a strong reporting and compliance program to identify risks and ensure consistent enforcement of its robust ethical rules and policies and ensure public transparency, consistency, and adequate internal controls in the recording and modifications of data in its records.

Ms. Sarah 'Fred' Sherburn-Zimmer of the Housing Rights Committee (HRC) of San Francisco said at a previous meeting she heard DBI staff say a couple of incorrect statements, and one was the Code Enforcement Outreach Program (CEOP) was going to be funded from the General Fund – The Board of Supervisors had no interest in funding those programs and it would be funded only once from the General Fund because the BIC did not raise the Department's fees early enough. Fred said the CEOP programs like the HRC did the important work along with DBI working hand in hand with inspectors, and the HRC has a level of respect in the communities and the program's calls had not gone down from tenants and have gone up since the pandemic. Also, when the fee study was completed to look into the landlord fees because those had not been raised since 2005.

Mr. Chris Schroeder gave a presentation and made the following points:

- In a deposition Director O'Riordan stated he noticed Bernie Curran traveling outside of his district a few times over the years.

- There were medical incidents Mr. Schroeder spoke of and said a few inspectors had complained to him about the treatment they had received from management.
- Mr. Schroeder said he emailed Director O’Riordan but did not receive a reply.
- Mr. Schroeder said Director O’Riordan helped create policy with two former BIC Commission Presidents.

Ms. Sanika Mahajan Associate Manager of Dolores Street Community Center said that it was only with their help and other Single Room Occupancy (SRO) Collaborative that DBI was able to manage the 25,000 calls it gets about housing habitability and code violations. This collaborative served an area where there was over sixty hotels providing language services and cultural competency to tenants in the Mission District.

Ms. Mahajan said it was extremely important the funding for the SRO’s came directly from DBI in which they worked with its inspectors ensuring violations were addressed. The Department should look at raising the landlord fees. The General Fund did not plan to fund the program and it was a one-time deal, and was not funded fully at the \$5.2 million it was in previous years.

4. Director’s Report.

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

Director O’Riordan presented and made the following points:

The Director thanked the Commissioners that joined the Department’s All-Staff meeting and explained the purpose of that meeting.

The Director said the Department teamed up with the City Attorney’s Office and filed a lawsuit against a property ownership group that had not maintained three Single Resident Occupancy (SRO) hotels in Chinatown. He said the conditions of those SROs were not good and the landlords had taken insufficient measures.

The Director said the SRO issue was not taken lightly and had come after the Department’s Housing Inspection Division spent several years communicating with the owners, issuing Notices of Violations (NOV) and working to bring them into compliance.

The Director said the Department appreciated City Attorney David Chiu and the Chinatown Community Development Corporation (CCDC) for working together to ensure the SRO tenants had a safe, clean, and code compliant home.

The Director said he participated in a news press conference announcing the lawsuit and hoped the strong media coverage sent a strong message to other landlords who were failing to meet their obligations to their tenants and the Department was committed to protecting tenant rights in San Francisco.

The Director spoke about the items on the meeting agenda.

b. Update on major projects.

Director O’Riordan gave an update on major projects for September 2023 as follows:

- Major projects are those with valuation of \$5 million or greater filed, issued, or completed.

- 3 permits filed
- \$83.9 million in valuation
- 140 net units
- Major projects with permits issued.
 - 1 issued
 - \$53.0 million in valuation
 - 146 net units
- Major projects with Certificate of Occupancy
 - 4 completed
 - \$27.0 million in valuation
 - 1 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:

- 25% of the year had elapsed
- Charges for Services collected is 23%
- Too early to project year-end revenue and expenditures.
- Will monitor and develop projections at 6 months.

Permits:

- Year to Date (YTD) permits were 13% higher than the prior year
- YTD valuation was 17% lower than last year

Mr. Koskinen said the Department sent the consultant for the fee study all the data and they were preparing their draft report and would be discussed at the December 2023 BIC meeting.

Mr. Koskinen said an email was sent out by the Mayor's Budget Director explaining the city's financial position and asked all General Fund Departments to propose three percent expenditure reduction for the fiscal year. He said the Mayor's Office would take those recommendations and make implementations. The Department's only General Fund support was the CBO grant and the Mayor's Office advised the three percent would equal \$160,000 and if implemented the reduction may be proportionally from each organization or all from one. If the cuts were to be implemented proportionally it would be a \$5,000 to \$30,000 reduction from the various service providers.

Mr. Koskinen said the city had a two-year budget but revisits its budget every year; However, what was approved in the last budget was an ongoing expenditure for the CBO expenses and an ongoing transfer from the General Fund, but the budget was revisited every year and changes could be made.

Public Comment:

Sarah 'Fred' Sherburn-Zimmer of the Housing Rights Committee (HRC) of San Francisco said the above comments from Mr. Koskinen regarding the CBO grant was why it needed to be under the

Department's budget and not in the General Fund.

Commissioner's Questions and Comments:

Commissioner Neumann said was it determined which fees were allowed to be raised in order to support the CBO programs.

Mr. Koskinen said he believed it was possible to use the apartment license fee to support the program.

Commissioner Shaddix said was it possible to add the \$160,000 back to the budget to make it whole.

Mr. Koskinen said the add backs were complete for fiscal year (FY) 2024 and any add backs would be in FY 2025-2026.

Commissioner Williams said there were a couple of comments that landlord fees had not been raised since 2005, and asked for further context.

Mr. Koskinen said there was a fee study in 2005. In 2015 when business was booming, there was an across the board fee decrease of seven percent and the last upward fee implementation was in 2008. Since 2015, Consumer Price Index (CPI) increase alone was thirty percent and for context, the apartment/hotel license fees, the revenue was about \$7 million and if the Department were to fund the CBOs from those fees they would have to be raised five percent.

Interim President Alexander-Tut gave a disclosure that she was previously employed at an organization that was funded by DBI's city grant program and still had relationships with people who receive and provide those services.

Interim President Alexander-Tut said Commissioner Neumann requested in the previous meeting that the fee study address all possible fees that could fund the city grant programs, and would those be in the fee study.

Mr. Koskinen said the General Fund was funding the program and that those expenditures were out of the cost pool; However, the analysis would not be difficult and a separate one could be included.

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:

Ordinance 193-23: Changing how the City sets, imposes, and collects the various development impact fees and amending the Building Code to allow deferral of payment of impact fees until issuance of the first certificate of occupancy.

Ordinance 189-23: Fee waiver for business signs and new awning installations for small businesses during Small Business Month in May 2023 and 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.

File No. 230862: Ordinance amending the Building Code to allow the Department of Building Inspection to waive the annual registration fee for Vacant or Abandoned Commercial Storefronts.

Legislation signed by the Governor:

AB 42 (Ramos): Fire sprinkler requirements in temporary sleeping cabins.

AB 1132 (Friedman): Solar energy system permit fees.

AB 548 (Boerner): Housing inspections in multi-unit buildings.

e. Update on Inspection Services.

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

• Building Inspections Performed	5,057
• Complaints Received	459
• Complaint Response within 24-72 hours	459
• Complaints with 1st Notice of Violation sent	82
• Complaints Received & Abated without NOV	220
• Abated Complaints with Notice of Violations	34
• 2nd Notice of Violations Referred to Code Enforcement	20

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

• Housing Inspections Performed	767
• Complaints Received	381
• Complaint Response within 24-72 hours	364
• Complaints with Notice of Violations issued	108
• Abated Complaints with NOVs	449
• # of Cases Sent to Director's Hearing	52
• Routine Inspections	139

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

• # Housing of Cases Sent to Director's Hearing	88
• # Complaints of Order of Abatements Issues	24
• # Complaint of Cases Under Advisement	0
• # Complaints of Cases Abated	74
• Code Enforcement Inspections Performed	495
• # of Cases Referred to BIC-LC	0
• # of Case Referred to City Attorney	1

Acting Deputy Director of Inspection Services Matthew Greene said Code Enforcement Outreach Programs are updated on a quarterly as follows for the 4th quarter:

• # Total people reached out to	51,879
• # Counseling cases	520
• # Community Program Participants	15,515
• # Cases Resolved	468

There was no public comment on the Director's Report items 4a-e.

Commissioner’s Questions and Comments:

Commissioner Shaddix said earlier there was a comment regarding the timeliness on closing complaints and asked if there was a way to report that data.

Mr. Greene said he would have to confer with the Department’s Data Analyst, however, if a complaint was closed quickly it usually meant there was no violation. If there were a violation there would be a process to abate the violation and it may require a Building Permit and the complaint would remain open until it came into compliance.

5. Discussion and possible action regarding Board of Supervisors Ordinance (File No. 231005) amending the 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.

Legislative Affairs Manager Carl Nicita presented the following points:

- Accessible Building Entrance (ABE) Program Compliance to Date
- Compliance ABE Categories: Already Accessible, Need permit (2,3, and 4), No Forms, Exempt, Waiver
 - 23,471 records: 15,497 compliant, 7,974 non-compliant

The Code Advisory Committee met October 12, 2023 and made a unanimous recommendation to the BIC to recommend approval of the ordinance.

Legislative Aide to Supervisor Mandelman, Zahra Hajee, presented the following points:

This issue came to Supervisor Mandelman’s attention because the deadline of September 29, 2023 was approaching to secure Building Permits and the extension was introduced at the Board of Supervisors on September 26, 2023. As the compliance deadline approached, Mandelman’s office received a significant amount of outreach from businesses sharing harrowing experiences with trying to come into compliance with the ABE program.

Ms. Hajee described a business owner’s difficult experience complying after spending thousands of dollars in inspection services to address a single step in front of the business. Ms. Hajee explained the ABE program provided safe harbor programs, one was a technical infeasibility and the other was unreasonable hardship in a financial sense. This customer applied for the unreasonable financial hardship and in order to receive that it would have to be heard by the Access Appeals Commission (AAC) and that committee had not met in over two years.

Ms. Hajee said a lot of businesses were attempting to apply for those hardships, which most were the technical infeasibility due to the state of the building in which some were at least 100 years old or the cost would impact business operations.

There was no public comment.

Commissioner’s Questions and Comments:

Commissioner Shaddix thanked Supervisor Mandelman and Katy Tang and said in the beginning during the ground work, most business owners had trouble navigating the website. He asked that there be more outreach especially in the outer District 10. Commissioner Shaddix went on to explain that there was one business that had a cost of over \$150,000 due to having to raise the sidewalk in order to get the step in compliance, and most small businesses in his district were not going to be able to afford that cost.

Commissioner Shaddix said he was willing to put a group together for outreach as well.

Commissioner Williams said why hadn’t the commercial building owner been able to come into compliance during the seven years the ABE program was available.

Ms. Hajee said perhaps DBI could give more information; However, mostly it was the small mom and pop shops that reached out to the Supervisor’s office and some were the owners of the buildings, but were finding in the first steps to comply would compromise the integrity of the structure of the building.

Ms. Hajee explained to apply for the technical infeasibility hardship the owner would apply with DBI however for the financial hardship the owner had to apply through DBI and the AAC which had not met in a long time, so those applicants were not receiving replies to their applications.

Commissioner Williams said why was it not enough that under the current Building Code if the building was not brought into compliance the owner would be in violation and have to abate the violation.

Mr. Nicita said that while it was the property owner’s responsibility under the ABE program the Department was met with a widespread issue of lease provisions that assigns responsibility to the business owner on commercial leases rather than the property owner.

Communications Manager Patrick Hannan said the Department had put out ten different communications and thousands of mailings since January 2022 informing businesses of their responsibilities in this issue and the notices went out to the property owner. The response the Department received was in some cases the property owner did not pass along the notices to the business owner and the Department does not get involved in contract disputes with the property owner and a tenant. For example, the Soft-Story program saw success with the owners because there was great consequence in not complying however the difference in the ABE was the bill was being paid by the small business and the contract added a further complication for the program. Outreach for the program ceased during the pandemic and the program was extended an additional two years.

Mr. Hannan said he attended a Bernal Heights Merchant Association meeting and there was a misunderstanding of when the sidewalk needed to be raised versus there being other options and the AAC met as needed and if the committee had not met for two years that meant there was not sufficient agenda items to do so at that time. Hopefully, the extension would give the Department the opportunity to do that work.

Interim President Alexander-Tut said property owners could be sued however what the BIC was being asked to do was for DBI to hold off enforcement.

Mr. Hannan said ADA was a federal law and the ABE program was local legislation and this proposal

was to delay enforcement and extending the date of compliance. There were three deadlines, the one for the architect, the one to apply for the permit, and the one to obtain the permit by. Those were the deadlines the proposal would extend not the actual enforcement.

Interim President Alexander-Tut said could the question of responsibility between the property owner and the small business tenant be considered legislatively.

Commissioner Neumann said was there a standard list of the type of buildings or vintage.

Mr. Hannan said a matrix of buildings and conditions was being explored with other city departments.

Commissioner Williams said after the ABE was enacted in 2016 the owners of the buildings were notified of their need to comply and thereafter due to contract disputes with their tenants the owners did not comply and the other reason for non-compliance was the AAC had not met but that was not addressed in the legislation.

Mr. Hannan said he could not speak to why every person did not comply with the program but what the Department was experiencing was business owners were surprised there was a non-compliant component to their business and he would leave the Supervisors office to speak to the addition of the AAC having not met.

There was further discussion between DBI staff, the BIC, and Supervisor Mandelman’s office regarding the extension and responsibility of the property owner and the business owner.

Commissioner Neumann made a motion, seconded by Commissioner Shaddix to recommend approval of Ordinance File No. 231005.

Secretary Harris Called for a Roll Call Vote:

Interim President Alexander-Tut	Yes
Commissioner Chavez	Excused
Commissioner Neumann	Yes
Commissioner Shaddix	Yes
Commissioner Sommer	Yes
Commissioner Williams	No

The motion carried 4-1, with Commissioner Williams dissenting.

RESOLUTION NO. BIC 059-23

6. Discussion and possible action on proposed ordinance amending the local findings included by reference in the following ordinances: 1) 2022 San Francisco Building Code (Ordinance Number 225-22); 2) 2022 San Francisco Green Building Code (Ordinance Number 227-22); 3) 2022 San Francisco Mechanical Code (Ordinance Number 228-22); 4) San Francisco Plumbing Code (Ordinance Number 230-22), in addition to other requirements.

Legislative Affairs Manager Carl Nicita presented the following points:

- Amending Local Findings in the 2022 Building Code Ordinances

- This Ordinance has not yet been submitted for introduction at the Board of Supervisors. Staff are seeking the Building Inspection Commission’s approval before the Department introduces the Ordinance.

Background:

- Consistent with the triennial California Building Standards Commission (CBSC) code cycle, the Board of Supervisors enacted the 2022 San Francisco Building Codes.
- The Board of Supervisors made express findings, section-by-section, that each local amendment to the California Building Standards Code was reasonably necessary because of local conditions (general related to topography, geography and climate).
- This Ordinance makes no changes to the underlying Building Codes, only findings indexes.
- The Code Advisory Committee met October 12, 2023 and made a unanimous recommendation to the BIC to recommend approval of the Ordinance.

There was no public comment.

Interim President Alexander-Tut made a motion, seconded by Commissioner Neumann, to recommend support of the Ordinance.

Secretary Harris Called for a Roll Call Vote:

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

The motion carried unanimously.

RESOLUTION NO. BIC 060-23

- 7. 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.**

Legislative Affairs Manager Carl Nicita presented the following points:

File No. 230310: The Building Code amendments in this ordinance have not yet been adopted in committee or included in substitute legislation, but were requested by the ordinance sponsor (the Mayor), approved as to form by the City Attorney, and considered and recommended approval by the Planning Commission at its September 28, 2023 meeting.

- The Code Advisory Committee met October 12, 2023 and made a unanimous recommendation to the BIC to recommend approval of the ordinance.

Ms. Veronica Flores from the Planning Department made a presentation regarding File No. 230310:

- The Ordinance was related to the next round of Accessory Dwelling Unit (ADU) legislation to make the local Code language consistent with state law.
- The Ordinance covered Assembly Bill (AB) 2221 and Senate Bill (SB) 897 which went into effect January 1, 2023.
- The focus was to make amendments that were required to comply with state law.
- The Department was already in practice reviewing and approving according to state law, this Ordinance was to catch up the language to state law and align with current practices.
- The Ordinance did reorganize the ADU program to stand alone in its own section within the Planning Code.
- The first Building Code amendment was the 60 days to approve or deny was a technical language change.
- The second change to notices for garage demolition, which the Planning Department and the Building Department had notices for similar garage demolition and the Planning Department requested to have the language included in the Building Code as well.

There was no public comment.

Interim President Alexander-Tut made a motion, seconded by Commissioner Shaddix, to recommend approval of Ordinance File No. 230310.

Secretary Harris Called for a Roll Call Vote:

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

The motion carried unanimously.

RESOLUTION NO. BIC 061-23

8. Update on the DBI strategic planning process.

Strategic Plan Implementation Consultant Dave Schwartz presented the following points:

- Develop action plans for the initiatives:
 - Project charters, goals and implementation details
 - Responsibilities and progress milestones
 - Expected outcomes with performance measures

- Task 1 – Project Implementation: September – October 2023
 - Detailed work plan, kick-off meetings, and written progress reports
- Task 2 – Assessments: October – December 2023
 - Mandate analysis, internal & external interviews, and assessment of DBI strengths/weaknesses/opportunities/threats (SWOT)
- Task 3 – Strategic Plan Development: December 2023 – January 2024
 - DBI vision/mission/values statements, goals & outcomes, key results, and performance metrics
- Task 4 – Action Plans: January – August 2023; Operational tools and support to:
 1. Implement the DBI strategic plan
 2. Monitor & evaluate implementation progress
 3. Update action plans
- Strategic Planning Roles
- Strategic Planning Areas of Focus
- Continuous Process Improvement Program

Communications Manager Patrick Hannan said the way Mr. Schwartz articulated the plan was a lot of the work would happen at the divisional level and was reflective of Director O’Riordan servant leadership where staff would be empowered and involved which was the goal in the Department and to move to the next level.

Public Comment:

- Mr. Jerry Dratler made the following comments:
- What was the long term and short term department goals that had been approved by the BIC and shared with the public that should drive the process?
- Where did the implementation of audit recommendations factor in to the short term strategic plan?
- How much funding was set aside to fund the strategic plan process.
- What was benchmarking DBI against best practices part of the strategic plan process.

Commissioner’s Questions and Comments:

Interim President Alexander-Tut said when looking at stakeholder existing feedback how much did all of the divisions and services collect feedback and was it language accessible and it should be thought of more proactively to truly get the gamut of San Franciscans who used DBI services from an equity perspective.

Secretary Harris said that this was only an information item, not an action item and she sent emails to the BIC to coordinate schedules for interviews with Mr. Schwartz.

9. 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 BIC meeting is scheduled for November 15, 2023.

Commissioner Williams said in regard to an earlier public comment was there anything the Department did to address mental health issues that were unique to the role of Inspectors or the Department.

Director O’Riordan said the Department’s Human Resource team worked with the Employee Assistance Program (EAP) that was part of the citywide Human Resources Department, and in the past counselors were brought in to speak with staff. Although we cannot make the employees utilize the EAP system, we do strongly recommend it if someone was found to be suffering a mental condition.

Interim President Alexander-Tut said the next regular BIC meeting is scheduled during the week of the Asian-Pacific Economic Cooperation (APEC) conference, and would potentially impact the meeting. She asked if the BIC would be able to set a Special Meeting date at another time or for noticing purposes if it need to be announced today.

DCA Robb Kapla said there were provisions for noticing once there was an agenda for the Special Meeting, but as a body it could be determined to have a Special Meeting and the date which would then be confirmed by the Department of availability.

Interim President Alexander-Tut said she would like to schedule a Special Meeting on the fee study perhaps November 29, 2023.

There was no public comment.

10. Review and approval of the minutes of the Regular Meeting of September 20, 2023.

Interim President Alexander-Tut made a motion, seconded by Commissioner Shaddix, to approve the Regular Meeting minutes of September 20, 2023.

There was no public comment.

The motion carried unanimously.

RESOLUTION NO. BIC 062-23

11. Adjournment.

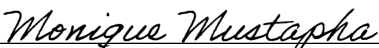
Interim President Alexander-Tut made a motion, seconded by Commissioner Neumann, to adjourn the meeting.

The meeting was adjourned at 11:09 a.m.


RESOLUTION NO. BIC 063-23

SUMMARY OF REQUESTS BY COMMISSIONERS OR FOLLOW UP ITEMS	
Commissioner Shaddix requested the data of timeliness on closing complaints breaking it down to different categories. – Shaddix	Page 7

Respectfully submitted,



Monique Mustapha, Assistant BIC Secretary



Edited By: Sonya Harris, BIC Secretary