

File No. 160975

Committee Item No. 1

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date September 22, 2016

Board of Supervisors Meeting

Date \_\_\_\_\_

Cmte Board

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- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- Referral FYI - 09/12/2016
- Letter of Inquiry - 09/12/2016
- \_\_\_\_\_
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Completed by: Erica Major Date September 14, 2016  
Completed by: \_\_\_\_\_ Date \_\_\_\_\_

Member, Board of Supervisors  
District 3



City and County of San Francisco

AARON PESKIN

September 12, 2016

Tom C. Hui  
Department of Building Inspection, Director  
1660 Mission Street, Sixth Floor  
San Francisco, CA 94103  
CC: Angela Calvillo; William Strawn; Lily Madjus

Dear Director Hui:

Thank you for copying me on the public records request regarding 301 Mission Street. After review of the documents, I have asked the Clerk of the Board to transmit this letter of inquiry in order to obtain further information and to give the Department of Building Inspection official notice that I am convening a special meeting of the Government Audit and Oversight Committee to hear File #160975 on Thursday, September 22, 2016 at 10:00am.

I request the following individuals to be present: William Strawn, Daniel Lowrey, Gary Ho and former staff and Acting Director Amy Lee.

The documents responsive to the NBC Investigative Unit's disclosure request seem woefully incomplete. Please identify what documents were not turned over and why.

Additional questions in advance of the September 22<sup>nd</sup> hearing:

- In 2005, geotechnical engineers, Treadwell & Rollo wrote that the project's structural engineer would determine the depth of the piles, yet there are no documents identifying this review or approval process. Please provide this written determination.
- The 2006 correspondence between the Department of Building Inspection and the lead at DeSimone Consulting Engineers focuses primarily on DBI concerns with the proposed BauGrid® reinforcement system installed at 301 Mission. All but one of these 22 pages of documents deal with these prefabricated joints, which received review and approval by the structural review panel consisting of Mr. Hardip Pannu and Professor Jack Moehle. Oddly, the subject of the structural foundation was *not* covered in the correspondence, leading me to inquire whether or not there was peer review of this critical aspect of the project.
- What is the Department of Building Inspection's current policy on performance-based peer review of structural foundations for projects over 120 ft? Has this policy always been in place, or did it come about at a certain time? Why was it changed or created?
- Why does the Department of Building Inspection have an inquiry in 2009 regarding the larger than expected settlements of the high-rise and mid-rise buildings at 301 Mission, but no response included in its disclosure? Please provide the response from DeSimone Consulting Engineers.
- The DeSimone Consulting Engineers letter from February 2009 states that they *do not* expect differential settlement to occur. What was the Department's response to this.

assertion and was this the understanding when the Certificates of Occupancy were issued, that no differentiated settlement had been noticed to any oversight agency?

- In 2008 negotiations appear to have been ongoing to expedite life safety inspections in order to obtain a temporary occupancy for the 60 story residential high rise at 301 Mission. On what basis did the city feel it should expedite the issuance of temporary occupancy permits? Who was the permit expeditor for the 301 Mission project?
- Why does the City have an unsigned report put together by an independent structural engineer, with no responses or follow-up from Department officials? The Draft Foundation Settlement investigation by Ronald Hamburger identifies a number of issues, including aggressive dewatering during construction (even *before* additional dewatering as a result of the Transbay project), as well as projected sinkage over the anticipated norm.
- As stated prior, the DeSimone Consulting Engineers 2009 report stipulated to no differential settlement but that marginal shift can be expected. Yet the Hamburger report later identified foundational cracking as a serious concern. Please explain this information and assessment gap. Whose responsibility is it to notify the City when new verifiable concerns are flagged or found to be substantive? Did the Hamburger report cause the City concern and are there any additional geotechnical structural reviews that have additional information warranting analysis that we have not been made aware of?
- According to the Hamburger report, the pile drives were built into mud clay *not* dense sand. Does this sediment create enough "friction" for friction piles to maintain their depth and stability and not sink? Was this evaluated before approval?
- Please also submit a complete list in advance of the hearing of projects within the waterfront, Transbay and Rincon Hill neighborhood plan areas that have opted to drill down to bedrock and those that have not, along with their height and whether they utilized performance-based design with peer review.
- Please provide a comparison of the structural analysis and approval standards required in Section 1701 of the San Francisco Building Code, the California Uniform Building Code and the federal requirements, including whether peer review of project foundations is required or encouraged as a best practice.
- What are the implications of the existing aggravated lean at 301 Mission Street on the seismic sustainability of the adjacent Transbay project and what steps is the City undertaking to ensure we protect our investment in this public project, given the new information?
- How many Certificates of Occupancy has the Department of Building Inspection issued since 301 Mission Street in the Transbay and Rincon neighborhoods?
- What steps is the Department undertaking to remediate the issues that have been uncovered at 301 Mission and the potential projects in the surrounding neighborhood? What recommendations can you offer that we must pursue immediately?

Please work with my staff to transmit this information in advance of the September 22 hearing and be prepared to discuss it as a part of our collective efforts to ensure the appropriate standards for our city-approved projects moving forward.

Thank you for your cooperation.

Best,



Aaron Peskin

BOARD of SUPERVISORS



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1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection

FROM: Erica Major, Assistant Clerk, Government Audit and Oversight Committee,  
Board of Supervisors

DATE: September 12, 2016

SUBJECT: HEARING MATTER INTRODUCED

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The Board of Supervisors' Government Audit and Oversight Committee has received the following hearing request, introduced by Supervisor Peskin on September 6, 2016:

**File No. 160975**

**Hearing on existing building standards in seismic safety zones, including infill and waterfront neighborhoods; and requesting the Department of Building Inspection to report.**

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

cc:  
William Strawn, Department of Building Inspection  
Carolyn Jayin, Department of Building Inspection

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2016 SEP -6 PM 3:53  
Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

BY \_\_\_\_\_

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Aaron Peskin

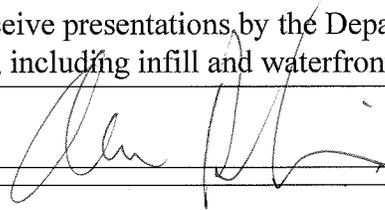
**Subject:**

Hearing on Building Standards in Seismic Safety Zones

**The text is listed below or attached:**

Hearing at the Government Audit and Oversight Committee to receive presentations by the Department of Building Inspections on existing building standards in seismic safety zones, including infill and waterfront neighborhoods.

Signature of Sponsoring Supervisor: \_\_\_\_\_



For Clerk's Use Only: