
From: Otellini, Patrick (ADM)
Sent: Wednesday, September 21, 2016 11:16 AM
To: Peskin, Aaron (BOS); Angulo, Sunny (BOS)
Cc: Major, Erica (BOS); Calvillo, Angela (BOS); Elliott, Jason (MYR); Elliott, Nicole (MYR); Kelly, Naomi (ADM)
Subject: RE: Letter of Inquiry in advance of Thursday's hearing
Attachments: 160909 MEL Feinstein Letter.pdf; 2016.2017 ESIC Tasks.pdf

Good morning Supervisor Peskin,

In reference to your letter and in anticipation of tomorrow's hearing I am happy to provide this response to your request regarding the building located at 301 Mission Street. Our office has not issued any official responses in the form of letters, emails, memorandums or bulletins in reference to this project. We provided guidance to the Mayor's office in responding to Senator Feinstein's letter by advising on the following items from the City's 30 Year Earthquake Safety Implementation Program that could be accelerated and added to our current policy agenda for the coming year:

- Reviewing ground failure mitigation measures for buildings in geologically hazardous areas (ESIP Task B.6.c)
– *This task is already underway by the Department of Building Inspection and they will be directing their Structural Subcommittee of the Code Advisory Committee to review this issue and make recommendations to the Building Inspection Commission per the Mayor's letter to Senator Feinstein (Mayor's letter attached).*
- Mandatory earthquake evaluations at the time of sale (ESIP Tasks A.2.a and B.2.c)
- Mandatory evaluation and retrofit of buildings with more than 300 occupants (ESIP Task C.2.c)
- Mandatory evaluation and retrofit of other low performing buildings (ESIP Task C.2.e)
– *These three existing tasks from the City's 30 Year ESIP plan have been included in this year's legislative work plan. The second attached file shows the existing identified policy initiatives from the larger 30 year timeline that we are actively working on now through the Earthquake Safety Implementation Committee.*

Your letter also mentioned the work I do as the City's Chief Resilience Officer. In addition to overseeing the City's 30 year ESIP plan, our office also recently released Resilient San Francisco – Stogner Today, Stronger Tomorrow which is a strategy on building greater resilience in San Francisco and includes much of our work on earthquake safety but also brings the issues of climate change and sea level rise and other hazards that an uncertain future will most certainly bring to our City. I look forward to the opportunity to brief you and your staff on this strategy as well as review the status and development of our current programs such as the Mandatory Soft Story Retrofit Program, the Private School Earthquake Evaluation Program and our new Façade Maintenance Program.

Thank you and please don't hesitate to contact myself or my staff with any additional questions.

Best,

Patrick Otellini

Chief Resilience Officer
Director, Office of Resilience and Recovery
City and County of San Francisco
Office of the City Administrator

1 Dr. Carlton B. Goodlett Place
City Hall, Room 362
San Francisco, CA 94102
Direct: (415) 554-5404 | E-Mail: Patrick.otellini@sfgov.org
www.sfgov.org/orr

From: Peskin, Aaron (BOS)

Sent: Tuesday, September 20, 2016 7:09 PM

To: Otellini, Patrick (ADM) <patrick.otellini@sfgov.org>; Elliott, Nicole (MYR) <nicole.elliott@sfgov.org>

Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>

Subject: Letter of Inquiry in advance of Thursday's hearing

Mr. Otellini and Ms. Elliott:

Attached, please find a letter of inquiry in the furtherance of this Thursday's hearing objectives. Please transmit responses to me and my staff, Sunny Angulo, before Thursday.

I look forward to your response.

Best,

Aaron

Aaron Peskin

District 3 Supervisor

415.554.7450 – VOICE

Aaron.Peskin@sfgov.org

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

September 9, 2016

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Feinstein:

Thank you for your letter regarding seismic safety of high-rise buildings in San Francisco. As you know, earthquake resilience has been a key priority of mine stretching back to my days as DPW Director and City Administrator.

You asked for more information about the Millennium Tower at 301 Mission Street. Specifically, the building permit approval process for this building commenced in 2002 under the 2001 California Building Code, and the Department of Building Inspection initiated a peer review process from a panel of experts, as they typically do for high-rise construction that employs a design-based approach. 301 Mission Street went through that process and was designed and constructed to the approved plans, building codes and standards in place at the time. That said, the Department of Building Inspection has suggested the Homeowners' Association make corrective actions to improve the joints, plumbing, and other operational parts of the building.

More broadly, you also expressed concern about the potential number of buildings in San Francisco that are not anchored to bedrock. Modern high rises typically employ a performance-based design to ensure that the building meets the structural requirements of the current code. To this end, the Department of Building Inspection has already enhanced and clarified their process for having skyscrapers peer-reviewed by a panel of experts prior to approval to begin construction.

As all Mayors of San Francisco know so deeply, earthquake preparedness is always a first priority, and we must strive for continual improvement. In my time as City Administrator and Mayor, I led and initiated my 30-year Earthquake Safety Implementation Plan (ESIP), a multi-point program to evaluate and retrofit seismically vulnerable buildings and to pass new laws to make our City more resilient. I'm proud of the progress my Administration has made thus far which includes the retrofit of more than 5,000 dangerous soft story buildings by 2020, evaluating all of the City's private schools for earthquake risks by 2017 and tougher regulations requiring façade inspections of every building in San Francisco more than five stories in height. We have also successfully passed \$812 million in Earthquake Safety & Emergency Response general obligation bonds.

To address the specific issue in your letter about high-rise resiliency, I am requesting the Department of Building Inspection's Code Advisory Structural Subcommittee immediately

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200
SAN FRANCISCO, CALIFORNIA 94102-4681
TELEPHONE: (415) 554-6141

review ground failure mitigation measures for buildings in geologically hazardous areas and make recommendations to the Building Inspection Commission.

As a further result of your writing, I have directed the Department of Building Inspection and the Office of Resilience & Recovery to amend our 30-year ESIP plan to expedite the safety of new and existing high-rise buildings. Specifically, I have ordered immediate inclusion into this year's work plan of:

- Reviewing ground failure mitigation measures for buildings in geologically hazardous areas (ESIP Task B.6.c)
- Mandatory earthquake evaluations at the time of sale (ESIP Tasks A.2.a and B.2.c)
- Mandatory evaluation and retrofit of buildings with more than 300 occupants (ESIP Task C.2.c)
- Mandatory evaluation and retrofit of other low performing buildings (ESIP Task C.2.e)

Previously, several of these tasks were spread over the next 25 years. As a result of your letter, and my direction to staff, we're starting this work right away.

I appreciate your attention to this issue, and I always welcome your continued guidance on protecting San Francisco.

Sincerely,



Edwin M. Lee
Mayor, City & County of San Francisco

2016-2017 Earthquake Safety Implementation Committee (ESIC) Tasks

Year	Task	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042						
	Task A.3.b. Mandatory evaluation and retrofit of concrete tilt-up and similar buildings																																				
	Task A.2.a. / Task B.2.c. Mandatory earthquake evaluation of all wood-framed buildings at time of sale																																				
	Task B.2.a. / Task C.2.a. Mandatory evaluation and retrofit of other non-durable concrete residential buildings																																				
	Task B.2.d. Mandatory evaluation of hotels and motels with 5 or more dwelling units																																				
	Task B.3.b. Mandatory evaluation and retrofit of Soft-Story Buildings with 3 or more dwelling units																																				
	Task B.6.a. Update codes for new buildings to reflect desired performance goals and acceptable confidence levels in meeting them																																				
	Task B.6.b. Review performance of assisted living facilities and similar special purpose facilities																																				
	Task B.6.c. Review ground failure mitigation measures for buildings in geologically hazardous areas																																				
	Task C.2.c. Mandatory evaluation and retrofit of buildings with 300 or more occupants																																				
	Task C.2.d. Mandatory evaluation and retrofit of steel low-rise performance buildings																																				
	Task C.2.e. Mandatory evaluation and retrofit of other low-performing buildings																																				
Recommended Action																																					

From: Elliott, Nicole (MYR)
Sent: Wednesday, September 21, 2016 11:20 AM
To: Peskin, Aaron (BOS); Otellini, Patrick (ADM)
Cc: Calvillo, Angela (BOS); Major, Erica (BOS); Angulo, Sunny (BOS)
Subject: RE: Letter of Inquiry in advance of Thursday's hearing
Attachments: 8.10.16 Feinstein.pdf; 9.9.16 Lee.pdf; 9.14.16 Feinstein.pdf

Good afternoon Supervisor Peskin,

Please find the following letters attached:

- 1) August 10th letter from Senator Feinstein to Mayor Lee
- 2) September 9th letter from Mayor Lee to Senator Feinstein
- 3) September 14th letter from Senator Feinstein to Mayor Lee

Please feel free to be in touch if you have questions related to these letters.

Best,
Nicole

Nicole A. Elliott
Director, Legislative & Government Affairs
Office of Mayor Edwin M. Lee
(415) 554-7940

From: Peskin, Aaron (BOS)
Sent: Tuesday, September 20, 2016 7:09 PM
To: Otellini, Patrick (ADM) <patrick.otellini@sfgov.org>; Elliott, Nicole (MYR) <nicole.elliott@sfgov.org>
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>
Subject: Letter of Inquiry in advance of Thursday's hearing

Mr. Otellini and Ms. Elliott:

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I look forward to your response.

Best,

Aaron

Aaron Peskin
District 3 Supervisor
415.554.7450 – VOICE
Aaron.Peskin@sfgov.org



United States Senate
WASHINGTON, DC 20510-0504
<http://feinstein.senate.gov>

August 10, 2016

The Honorable Edwin Lee
Mayor
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA, 94102

Dear Mayor Lee:

I have been reading with increasing alarm the recent stories about the Millennium Tower and its reported sinking and tilting. As you know, I have had great concern, generally, with the recent residential and commercial density increase in San Francisco, as well as concern about the City's preparedness for a large scale seismic event. Now, to add to that mix of concern, I am left wondering if the City's building code played any role in allowing this sinking and tilting to happen, and whether or not other approved buildings are suffering the same fate.

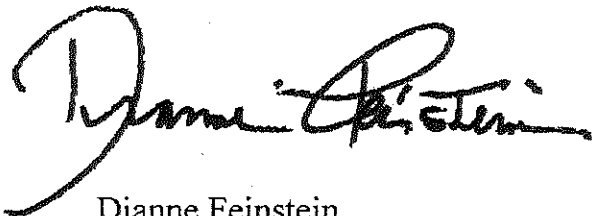
The fact most alarming to me is that the Millennium's engineers constructed the building only over a thick concrete slab, supported by piles roughly 80 feet into dense sand **as opposed to drilling piles into the bedrock 200 feet down**. While I was always under the impression that buildings needed to be anchored to bedrock, I have learned that there are numerous buildings throughout San Francisco (e.g. the Embarcadero buildings, AT&T Park, Moscone Center) that have used a similar type of foundation.

I met recently with Patrick Otellini, your Chief Resiliency Officer, who spoke at great length about the work you are leading to keep the City safe in the event of a large seismic event. Thank you for that work. However, I believe answering the

question of the seismic stability of these new high buildings, other such buildings currently in the construction or review phase, and whether or not they can sufficiently survive a large scale earthquake without being anchored into bedrock should become a top priority for you.

I suggest reaching out to leaders in the world of academia to solicit their guidance and input, as opposed to current geotechnical engineers currently practicing in the field in order to avoid any appearance of conflict of interest. Consider forming a "Mayoral Seismic Safety Advisory Committee," or other panel of independent experts who can advise you and the Department of Building Inspection thoroughly and independently. If I can be of any help to you in this endeavor, please know I am at your service.

Sincerely,

A handwritten signature in black ink, appearing to read "Dianne Feinstein". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Dianne Feinstein
United States Senator

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

September 9, 2016

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Feinstein:

Thank you for your letter regarding seismic safety of high-rise buildings in San Francisco. As you know, earthquake resilience has been a key priority of mine stretching back to my days as DPW Director and City Administrator.

You asked for more information about the Millennium Tower at 301 Mission Street. Specifically, the building permit approval process for this building commenced in 2002 under the 2001 California Building Code, and the Department of Building Inspection initiated a peer review process from a panel of experts, as they typically do for high-rise construction that employs a design-based approach. 301 Mission Street went through that process and was designed and constructed to the approved plans, building codes and standards in place at the time. That said, the Department of Building Inspection has suggested the Homeowners' Association make corrective actions to improve the joints, plumbing, and other operational parts of the building.

More broadly, you also expressed concern about the potential number of buildings in San Francisco that are not anchored to bedrock. Modern high rises typically employ a performance-based design to ensure that the building meets the structural requirements of the current code. To this end, the Department of Building Inspection has already enhanced and clarified their process for having skyscrapers peer-reviewed by a panel of experts prior to approval to begin construction.

As all Mayors of San Francisco know so deeply, earthquake preparedness is always a first priority, and we must strive for continual improvement. In my time as City Administrator and Mayor, I led and initiated my 30-year Earthquake Safety Implementation Plan (ESIP), a multi-point program to evaluate and retrofit seismically vulnerable buildings and to pass new laws to make our City more resilient. I'm proud of the progress my Administration has made thus far which includes the retrofit of more than 5,000 dangerous soft story buildings by 2020, evaluating all of the City's private schools for earthquake risks by 2017 and tougher regulations requiring façade inspections of every building in San Francisco more than five stories in height. We have also successfully passed \$812 million in Earthquake Safety & Emergency Response general obligation bonds.

To address the specific issue in your letter about high-rise resiliency, I am requesting the Department of Building Inspection's Code Advisory Structural Subcommittee immediately

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SAN FRANCISCO, CALIFORNIA 94102-4681
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review ground failure mitigation measures for buildings in geologically hazardous areas and make recommendations to the Building Inspection Commission.


As a further result of your writing, I have directed the Department of Building Inspection and the Office of Resilience & Recovery to amend our 30-year ESIP plan to expedite the safety of new and existing high-rise buildings. Specifically, I have ordered immediate inclusion into this year's work plan of:

- Reviewing ground failure mitigation measures for buildings in geologically hazardous areas (ESIP Task B.6.c)
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Previously, several of these tasks were spread over the next 25 years. As a result of your letter, and my direction to staff, we're starting this work right away.

I appreciate your attention to this issue, and I always welcome your continued guidance on protecting San Francisco.

Sincerely,



Edwin M. Lee
Mayor, City & County of San Francisco

DIANNE FEINSTEIN
CALIFORNIA




SELECT COMMITTEE ON INTELLIGENCE - VICE CHAIRMAN
COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND ADMINISTRATION

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

September 14, 2016

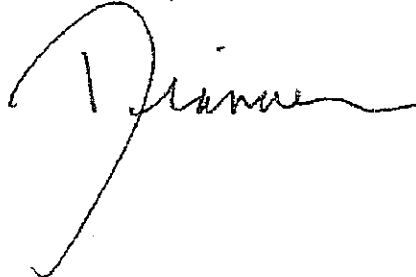
Dear Mayor Lee: 

Thank you for your September 9, 2016 response to my August 10, 2016 letter to you raising concerns about the reported “sinking and tilting” of the Millennium Tower. I am very encouraged by your response detailing your commitment to moving forward action items within the City’s Earthquake Safety Implementation Plan for high rise buildings. Your letter makes clear you remain steadfast, as you have throughout your public service career, to ensuring the seismic safety of San Francisco – thank you!

Specifically to the Millennium Tower, I also appreciate your response summarizing the building permit approval process prior to the construction of the Tower. Moving forward, what role will the City play in addressing the continued “sinking and tilting” of the building? What role can you play as Mayor to ensure that all impacted City Departments stand at the ready to assist the developer, the homeowner’s association, and other impacted parties, as they formulate a plan to fix the problem? Most importantly, what can you do to ensure the residents of San Francisco that its City government is on top of the issue?

As always, I am more than pleased to offer any assistance I can to the City of San Francisco.

Sincerely,

A large, stylized handwritten signature in cursive script, appearing to read "Dianne".

The Honorable Edwin Lee
Mayor
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA, 94102

Member, Board of Supervisors
District 3



City and County of San Francisco

AARON PESKIN

September 20, 2016

Patrick Otellini, Chief Resilience Officer
Office of the City Administrator, Room 362

Nicole Elliott, Director of Legislative & Government Affairs
Office of Mayor Edwin M. Lee, Room 200

Mr. Otellini and Ms. Elliott:

Thank you for making yourself available to participate in the hearing this Thursday, September 22, 2016 at 10:00am at the Government Audit and Oversight Committee (GAO).

I understand that you are the world's first Chief Resilience Officer, and I am eager to know more about your office and the specific work you have undertaken to address resiliency and recovery efforts here in San Francisco. I also understand that you have considerable experience after spending a decade in the private sector dealing with building code compliance issues, so I appreciate the guidance you have been giving the City on these issues since assuming your post.

The GAO committee members will be using the recent revelations around 301 Mission Street as a case study in the first of a series of hearings on buildings standards in seismic zones, and I am requesting your assistance in providing any and all letters, emails, memorandums or bulletins that you have submitted to city staff or drafted for the Mayor or any of his staff in your role as the City's resident expert as to the condition and seismic safety and sustainability of the 301 Mission Street project.

Ms. Elliott, the September 13, 2016 *SF Magazine* article "Millennium Tower Goes on Trial" includes a letter from Mayor Lee to Senator Dianne Feinstein dated September 9, 2016. Please provide any correspondence that triggered Mayor Lee's official response on behalf of the City.

Thank you both in advance for your help in facilitating this hearing by transmitting these documents in advance of this Thursday. Please feel free to contact my staff, Sunny Angulo, with further questions.

Best,

A handwritten signature in black ink, appearing to read "Aaron Peskin".

Aaron Peskin