



BUILDING AND STANDARDS COMMISSION

REGULAR MEETING MINUTES

Date: August 25, 2021

The Building and Standards Commission (BSC) convened remotely via video conference for a regular meeting on Wednesday, August 25, 2021. The meeting was available for viewing live at <http://www.austintexas.gov/page/watch-atxn-live>.

Commission Members in Attendance:

Chair Andrea Freiburger; and, Commissioners: Sade Ogunbode, Wordy Thompson, John Green, Elizabeth Mueller, Timothy Stostad, and Edward Selig; and Ex Officio Commissioner Chief Thomas Vocke. Vice Chair Pablo Avila was absent.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Austin Code Division Manager; James Candelas, Program Specialist; Farah Presley, Investigator; Elaine Garrett, Assistant Director; Justin Brummer, Supervisor; Moses Rodriguez, Supervisor; Johnny Serna, Inspector; Eric Gardner, Inspector; Willis Adams Inspector; Lauren Johannes, Assistant City Attorney; Patricia Link, Assistant City Attorney; and Adam Ellis, CTM A/V Technician.

CALL TO ORDER

Chair Freiburger called the Commission Meeting to order at 6:37 p.m.

APPROVAL OF MINUTES

A motion was made by Commissioner Green to approve the minutes from the June 23, 2021 regular meeting. The initial motion was allowed to lapse as the result of a request made by Commission Mueller to revise the minutes in order to capture missing information from the final motion regarding 9500 Dessau Road. Commissioner Mueller made a motion to adopt the minutes, with an amendment to incorporate the language missing from the motion made regarding 9500 Dessau Road. The motion was seconded by Commissioner Selig. The motion failed on a 5-1 vote. Commission Thompson voted nay, and Commission Green was off dais.

CITIZEN COMMUNICATION

Jason Stone and Jarymar, BASTA, provided testimony regarding the current conditions at storm-damaged property 9500 Dessau Road, also known as 9500 Apartments.

PUBLIC HEARINGS

Returning Cases:

<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner/Appellant</u>
1. CL 2017-111475	2215 E. Anderson Lane Service Road EB	Ghassan A. Karim, LLC

The property was represented at the hearing by Mazin Sbaiti, counsel for guardian, and Paul Fletcher, counsel for Lienholder, Randolph-Brooks Federal Credit Union.

Chair Freiburger admitted Exhibits 7 and 8A-8X. Commissioner Mueller moved to close the public hearing and adopt Staff’s findings of fact and conclusions of law. Commissioner Mueller also made a motion, seconded by Commissioner Green to adopt Staff’s recommended order for demolition of the primary and accessory structures within 30 days, and authorize the Code Official to proceed with demolition on the 31st day if compliance is not met. The motion passed on a 7-0-0 vote. Vice Chair Avila was absent.

2. CL 2009-009101	E. 12th Street	Magnolia Christian Church
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This item was pulled from the agenda and was not heard.

3. CL 2021-104102 CL 2021-104106 CL 2021-104358 CL 2021-104363	6901 Wentworth Drive, Exterior; and Units A, B & D	William & Guisela Morrow
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The property’s four cases were heard concurrently. The property was not represented at the hearing.

Chair Freiburger admitted Staff Exhibits 1, 2, 3A-3I, 4, 5A-5F, 6, 7A-7H and 9A-9Q. Commissioner Green moved to adopt the findings of fact and conclusions of law, as well as staff’s recommendation in each case for repair within 45 days, with penalties of \$1,000 per week to begin accruing on the 46th day if not in compliance. The motion was seconded by Commissioner Selig. The motion passed on a vote of 7-0-0. Vice Chair Avila was absent.

4. CL 2021-104822	7202 Bethune Avenue	Church of Christ St. Johns Addn
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5. CL 2021-104824	7204 Bethune Avenue	St Johns Church of Christ Trustees
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These properties were heard concurrently. The property was represented at the hearing by self-reported owner Luke Waynewood.

Chair Freiburger admitted Staff Exhibits 1 and 2A-2F and, Exhibits 3 and 4A-4D. Commissioner Green made a motion to continue the hearing for 30 days and for Mr. Waynewood to return and bring the following information and /documentation to the hearing regarding repairs: 1) a roofing estimate; 2) more information on programs providing assistance with repairs, including a waitlist estimate; and 3) a plan for making the repairs. The motion was seconded by Commissioners Mueller and Stostad. The motion carried on a 6-1-0 vote. Commissioner Thompson voted against the motion. Vice Chair Avila was absent.

6. CL 2021-119634, et al.	8800 N. IH 35 SVRD, SB - Exteriors of Bldgs. 1-10, and Bldg. 10 (Fire Damage)	8800 Austin, LLC
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The eleven related cases for this property were heard concurrently. The property was represented at the hearing by Robert Brown, attorney for the owner; Steven Bellah, Construction Manager, Valliant Construction; Tanya Morales; Crystal Sanchez; and Monica Garcia.

Chair Freiburger admitted Staff Exhibits 1, 2, 3A-3I, 4, 5A-5H, 6, 7A-7M, 8, 9A-9M, 10, 11A-11K, 12, 13A-13K, 14, 15A-15Q, 16, 17A-17Q, 18, 19A-19Q, 20, 21A-21J, 22 and 23A-23I.

Commissioner Stostad moved to close the public hearing, adopt the findings of fact and conclusions of law, and adopt staff's recommended orders in each of the above-referenced cases, which required in all 11 cases that the owner make the required repairs in each case within 45 days, and on the 46th day, if not in compliance, assess a penalty of \$1,000 per week until compliance is achieved. The recommendation for the Building 10 (Fire Damage) also included that the fire-damaged units, i.e., numbered 1069, 1076, 2069, 2076, 3069, 3075 and 3076, remain vacant and secure until all repairs required by the order are complete. The motion was seconded by Commissioner Green. Note: The motion was for 11 orders, i.e., for the exteriors of Buildings 1-10 and the fire damage to Building 10. The motion carried on a 6-1 vote. Chair Freiburger voted nay. Vice Chair Avila was absent.

DISCUSSION AND POSSIBLE ACTION ITEMS

7. Discussion regarding return to in-person meetings.

An informal discussion was held regarding the Commission's return to in-person meetings in September and to discuss the logistics of holding hybrid meetings.

FUTURE AGENDA ITEMS

The next regular meeting is set for September 22, 2021. The meeting minutes from June are to be revised and brought back in September for approval. The following cases will also be returning for consideration and possible Commission action: CL 2021-104822 / 7202 Bethune Avenue; and CL 2021-104824 / 7204 Bethune Avenue.

The Chair considered a discussion item regarding BSC retreat but stated she would prefer to wait, as Commissioners may not be comfortable meeting in person.

ADJOURNMENT

Chair Freiburger adjourned the meeting at 9:52 p.m.