



BUILDING AND STANDARDS COMMISSION

REGULAR MEETING MINUTES

Date: April 27, 2022

The Building and Standards Commission (BSC) convened at the City of Austin Permit and Development Center and via video conference for a regular hybrid meeting on Wednesday, April 27, 2022. The meeting was available for viewing live at <http://www.austintexas.gov/page/watch-atxn-live>.

Commission Members in Attendance:

Chair Andrea Freiburger; Vice Chair Pablo Avila; Commissioners, Wordy Thompson, Sadé Ogunbode, Michael Francis, Joseph Benigno, Edgar Farrera, Elizabeth Mueller, Timothy Stostad, and Ex Officio Commissioner Chief Thomas Vocke. Commissioner Edward Selig and John Green were absent. Note: Vice Chair Avila and Commissioners Farrera, Mueller, and Stostad attended remotely.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Austin Code Division Manager; Farah Presley, Inspector; José G. Roig, Director, Austin Code; Daniel Word, Assistant Director; Elaine Garrett, Assistant Director; Daniel Armstrong, Division Manager; James Adams, Supervisor; David Downing, Supervisor; Alicia Tovar, Inspector; Lauren Taggart, Inspector; Lauren Khoury, Assistant City Attorney; Tony Hernandez, Developmental Services Department (DSD); Kalissa Tozi DSD and Daniel Murphy, 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 Francis for approval of the minutes from both the March 23, 2022 regular meeting and the February 11, 2022 special-called meeting. The motion was seconded by Commissioner Ogunbode. The motion carried on an 8-0-1 vote, Commissioner Thompson abstained.

PUBLIC COMMUNICATION

No one appeared for Public Communication at this meeting.

DISCUSSION AND POSSIBLE ACTION ITEMS

1. Election of Officers.

Chair Freiburger nominated Commissioner Ogunbode to serve in the role as Chair of the Commission and Commissioner Farrera to serve in the role as Vice-Chair. The Commissioners voted unanimously for those lone nominations, 9-0-0. Commissioners Selig and Green were absent.

PUBLIC HEARINGS

Returning Case(s):

<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner</u>
2. CL 2022-049782	1167 Springdale Road	Willie Rean Carter

The property was represented at the hearing by Laura Jackson-Crockett, the owner's daughter. Chair Freiburger admitted Staff Exhibits 3 and 4A - 4H. Commissioner Mueller moved to adopt staff's findings of fact, conclusions of law and modify staff's recommended order for repairs to 90 days and impose a penalty of \$200 per week. Commissioner Farrera seconded the motion. A friendly amendment was added to the motion by Commissioner Benigno to reduce the penalty to \$200 per month. The motion was accepted by the Commissioners Mueller and Farrera. The motion carried on a 9-0-0. Commissioners Selig and Green were absent.

New Case(s):

3. CL 2022-049462	2900 O Neal Lane	2900 Oneal Lane, LLC
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The property was not represented at the hearing. Chair Freiburger admitted Staff Exhibits 1 and 2A – 2E. Commissioner Francis moved to close the public hearing and adopt staff's proposed findings of fact and conclusions of law, and adopt staff's recommendation for demolition within 45 days, seconded by Commissioner Benigno. The motion carried on a 9-0-0 vote. Commissioners Selig and Green were absent.

4. CL 2022-049593	5602 Clay Avenue	2900 Oneal Lane, LLC
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The property was not represented at the hearing. Chair Freiburger admitted Staff Exhibits 1 and 2A – 2H. Commissioner Ogunbode moved to close the public hearing and adopt staff's proposed findings of fact and conclusions of law, and adopt staff's recommendation for demolition within 45 days, seconded by Commissioner Francis/Farrera. The motion carried on a 9-0-0 vote. Commissioners Selig and Green were absent.

5. CL 2022-049575; CL 2022-049558; CL 2022-049564; and CL 2022-049543	2201 W. William Cannon Drive, Exterior of Bldgs. 5 & 6 and 4 & 5 (aka: Southland Apartments)	Southland Apartments, LLC
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The property was represented at the hearing by owners McKinley Parker and Gloria Lamb. Chair Freiburger admitted staff Exhibits 1- 9J.

Commissioner Mueller moved to close the public hearing. Commissioner Mueller also moved to adopt staff's proposed findings of fact and conclusions of law, and staff's recommendation in each of the 4 cases for repairs within 45 days, with a penalty of \$1,000 per week to be assessed if compliance is not achieved. Commissioner Francis seconded the motion. Commissioner Ogunbode added a friendly amendment to Commissioner Mueller's motion, to reduce the penalty of \$1,000 per week for non-compliance to \$250 per week in each case. The friendly amendment was agreed to by Commissioner Mueller. This motion carried on a 7-1 vote, with Commissioner Thompson voting against. Commissioner Farrera was off dais. Commissioners Selig and Green were absent.

6. CL 2022-049479; CL 2022-049487; CL 2022-049497; CL 2022-049504; and CL 2022-049513	8900 N. IH 35 Service Road, SB Exterior of Bldgs. 1, 8, 9, 10 and 15 (Also known as Orbit Apartments)	8900 Austin, LLC
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The property was represented at the hearing by Robert Brown, the owners' attorney and Monica Garcia, asset manager. Chair Freiburger admitted staff Exhibits 1 – 11U. Chair Freiburger also admitted property owner Exhibits 1, 2 and 3.

Commissioner Francis moved to close the public hearing and adopt staff's proposed findings of fact and conclusions of law, as well as staff's recommendation for repairs in each case within 45 days with a penalty of \$1,000 per week for non-compliance, seconded by Commissioner Stostad. Upon clarification, Commissioner Francis decided to spread the amount of the penalty over all five cases, making the penalty for each case \$200. The motion was seconded by Commissioner Stostad. The motion carried on a 8-0 vote. Commissioner Farrera was off dais. Commissioners Selig and Green were absent.

DISCUSSION AND POSSIBLE ACTION ITEMS

7. Presentation regarding the Flat Top Fence Initiative.

Kalissa Tozzi, Developmental Services Department (DSD) made a presentation to the Commission entitled, "Safe Fencing Regulations." Also attending as subject matter experts were Tony Hernandez (DSD), David King and Julie Damian.

8. Modification of Building and Standards Commission (BSC) orders and creation of a working group.

A discussion ensued and working group was formed consisting of Commissioners Benigno, Francis and Ogunbode. Assistant City Attorney Lauren Khoury stated that she could provide the working group with a draft of some suggested modifications to review. The working group will be added to a future agenda when ready to present the

FUTURE AGENDA ITEMS

The next regular meeting is set for May 25, 2022. The following item was considered for a future agenda:

- The working group for modification of BSC orders will be added to a future agenda when ready to present the Commission. Assistant City Attorney Lauren Khoury will coordinate with BSC Coordinator Melanie Alley regarding the specific date.

ADJOURNMENT

A vote was taken to extend the meeting for 5 minutes. Chair Freiburger adjourned the meeting at 10:06 p.m.