



***BUILDING AND STANDARDS COMMISSION
REGULAR MEETING
MINUTES
WEDNESDAY, FEBRUARY 28, 2024***

The BUILDING AND STANDARDS COMMISSION convened in a REGULAR meeting on 28 February 2024, at the CITY OF AUSTIN PERMITTING AND DEVELOPMENT CENTER (PDC), 6310 WILHELMINA DELCO DRIVE, ROOM 1405, in Austin, Texas.

CHAIR SADÉ OGUNBODE called the BUILDING AND STANDARDS COMMISSION (BSC) Meeting to order at 6:38 p.m.

Commissioners in Attendance: Chair Sadé Ogunbode, Commissioners: Blaine Campbell, Michael Francis, Luis Osta Lugo, Logan Schugart, Edward Selig, and Timothy Stostad and Ex Officio Commissioner Chief Stephen Truesdell.

Commissioners in Attendance Remotely: Commissioner Joseph Benigno.

PUBLIC COMMUNICATION: GENERAL

No one appeared before the Commission for Public Communication.

APPROVAL OF MINUTES

1. Approve the minutes of the BUILDING AND STANDARDS COMMISSION REGULAR MEETING on January 24, 2024 and the minutes of the SPECIAL CALLED MEETING on February 12, 2024.

The minutes from the meetings of January 24, 2024 and February 12, 2024 were approved on COMMISSIONER OSTA LUGO's motion, COMMISSIONER CAMPBELL second on a 7-0 vote. COMMISSIONER SELIG was off dais.

PUBLIC HEARINGS

2. Conduct a public hearing and consider an appeal regarding case number CL 2024-004526; Property address: 1012 Reinli Street.

COMMISSIONER SCHUGART moved to close the public hearing, COMMISSIONER FRANCIS second, with no objections. COMMISSIONER CAMPBELL moved to adopt

the findings of fact, conclusions of law and adopt City staff's recommendation for the owner to: 1) within 48 hours from the date of the hearing, secure or fix the locks of the gates of the enclosure surrounding the swimming pool, maintain the mechanism(s) used to secure or lock the gates of the enclosure surrounding the swimming pool, and request inspection to verify compliance; 2) if the gates of the enclosure surrounding the swimming pool have not been secured or fixed within 48 hours, authorize Code Official to proceed with securing the gates of the enclosure surrounding the swimming pool, and assess against the property any expenses incurred for securing the gates of the enclosure surrounding the swimming; 3) if the mechanism(s) to secure the gates surrounding the swimming pool are not maintained, authorize the Code Official to re-secure the gates, and assess against the property any expenses incurred for securing the gates of the enclosure surrounding the swimming pool may be; 4) within 45 days from the date the Order is mailed, obtain and finalize all necessary permits, correct all violations cited to the multi-family structure as identified in the Order of the Building and Standards Commission; and request inspection from City of Austin to verify compliance; and 5) on the 46th day, if compliance is not achieved, assess a civil penalty of \$1,000 per week that will continue to accrue until the Code Official determines that the repairs required by the Order are complete, with interest to accrue at a rate of 10 percent per year from the date of the assessment until paid in full. **COMMISSIONER OSTA LUGO second. The motion passed on an 8-0 vote.**

3. Conduct a public hearing and consider case numbers **CL 2024-004525 and CL 2024-004523**; Property address: **2301 Durwood Street, Buildings 3 and 4 (aka 2324 Wilson Street, aka Lucero Apartments).**

COMMISSIONER CAMPBELL moved to close the public hearing, **COMMISSIONER OSTA LUGO second, with no objections.** **COMMISSIONER FRANCIS'** moved to adopt the findings of fact, conclusions of law and adopt City staff's recommendation for repair of the commercial multi-family structure within 90 days, with one amendment, i.e., to increase the civil penalty to \$1,000 per day per violation beginning on the 91st day from the date the order is mailed if compliance is not achieved, **COMMISSIONER OSTA LUGO's second. The motion carried on a 7-1 vote. COMMISSIONER BENIGNO voted nay.**

4. Conduct a public hearing and consider an appeal regarding case number **CL 2023-140433** Property address: **2507 Bryan Street.**

COMMISSIONER CAMPBELL moved to close the public hearing, **COMMISSIONER SCHUGART second.** **COMMISSIONER SELIG** moved to adopt the findings of fact and conclusions of law and adopt City Staff's recommendation for demolition with a modification to extend the compliance timeframe to 90 days, and on the 91st day, if compliance is not achieved, authorized the Code Official is to proceed with demolition. **COMMISSIONER OSTA LUGO's second. The motion carried on an 8-0 vote.**

5. Conduct a public hearing and consider case number **CL 2023-130613**; Property address: **6921 Bethune Avenue.**

COMMISSIONER CAMPBELL moved to close the public hearing, **COMMISSIONER FRANCIS' second.** **COMMISSIONER CAMPBELL** motioned to adopt the findings of fact,

conclusions of law and adopt City Staff's recommendation for repair with modifications, i.e., to extend the compliance timeframe from 45 to 90 days, and to reduce the civil penalty on the 91st day to \$150 per week, **COMMISSIONER OSTA LUGO's second. The motion carried on an 8-0 vote.**

6. Conduct a public hearing and consider case numbers **CL 2021-050163; CL 2021-050393 and CL 2021-050180**; Property address: **8412 Garcreek Circle, Exterior and Units A & D.**

COMMISSIONER FRANCIS restated the motion and amended the motion to include a time limit, whereby the civil penalty is reduced to \$7,682.01 for all 3 orders combined if paid in full within 180 days. If the reduced civil penalty is not paid in full within 180 days, on the 181st day from the date the Order is mailed, the civil penalties previously assessed in each of the 3 orders would be reinstated in full. **COMMISSIONER CAMPBELL's second. The motion carried on a 7-1 vote. COMMISSIONER BENIGNO voted nay.**

7. Conduct a public hearing and consider an appeal regarding case number CV 2023-140893; Property address: **2927 Kassarine Pass.**

COMMISSIONER CAMPBELL moved to adopt the findings of fact, conclusions of law and adopt City staff's recommendation to affirm the notice of violation thereby denying the appeal, **COMMISSIONER OSTA LUGO's second. The motion passed on a 6-2 vote. CHAIR OGUNBODE, AND COMMISSIONERS CAMPBELL, FRANCIS, SELIG, SCHUGART and STOSTAD voted in aye, and COMMISSIONERS BENIGNO and SELIG voted nay.**

FUTURE AGENDA ITEMS

At the January 24, 2024 meeting, an appeal regarding 8103 Forbsdale Drive, was continued to the March 27, 2024 regular meeting.

COMMISSIONER FRANCIS' motion to waive the rules and allow the **BUILDING AND STANDARDS COMMISSION** to meet after 10 p.m. for an additional 10 minutes, **COMMISSIONER OSTA LUGO's second**, was approved without objection.

CHAIR OGUNBODE adjourned the meeting at 10:09 p.m. without objection.

The minutes were approved at the March 27, 2024 meeting on **COMMISSIONER FRANCIS'** motion, **COMMISSIONER OSTA LUGO's second** on a 6-0 vote. **COMMISSIONER SELIG** was off dais.