



BUILDING AND STANDARDS COMMISSION MINUTES

REGULAR MEETING
Date: June 24, 2020

The Building and Standards Commission (BSC) convened remotely via video conference for a regular meeting on Wednesday, June 24, 2020. The meeting was available for viewing at <http://www.austintexas.gov/page/watch-atxn-live>.

Commission Members in Attendance:

Andrea Freiburger, Chair; Pablo Avila, Vice Chair; Commissioners: Jessica Mangrum, Wordy Thompson, Timothy Stostad, James Briceno, John Green, Elizabeth Mueller, Sade Ogunbode, Edgar Farrera* and Ex Officio/Fire Marshall, Tom Vocke. Edgar Farrera was not present when the meeting was called to order. He was present after the Commission approved the February 26, 2020 meeting minutes. Commissioner Natalya Sheddman was absent.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Division Manager; Marlayna Wright, Investigator; James Candelas, Program Specialist; Justin Brummer, Supervisor; Kenneth Nettle, Inspector, Jason Ortiz, Inspector, Phillip Bossley, Inspector, Tamara Kurtz, Business Process Consultant Sr. and Brandon Carr, Assistant City Attorney.

CALL TO ORDER

Chair Andrea Freiburger called the Commission Meeting to order at 6:33 p.m.

APPROVAL OF MINUTES

Commissioner Elizabeth Mueller moved to approve the minutes from the June 24, 2020 regular meeting seconded by Commissioner Sade Ogunbode. The motion passed on a 9-0-1 vote with a correction to Commissioner Avila's name; thus, approving the June meeting minutes.

PUBLIC HEARINGS

Case(s):

	<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner(s)</u>
1.	CL 2020-040829	5315 Aurora Drive	Roger W. Smith

Caroline Trimarco, Property Manager represented the property owner at the hearing. The cited property is an unoccupied building in the rear of the property. Chair Freiburger admitted Staff's Exhibits 1, 2A-F. Commissioner Mangrum made the motion to adopt the proposed findings of fact and conclusions of law and adopt Staff's recommended order for repair within 45 days from the date the order is mailed, with penalties of \$250 to begin to accrue on the 46th day if not in compliance. The motion was seconded by Commissioner Green. The motion carried 10-0. Commissioner Natalya Sheddman was absent.

2.	CL 2020-040603 CL 2020- 017845 CL 2020-017849	1500 Royal Crest Drive (aka The Element Austin Apartments) Building 6 (Landing and Retaining Wall); Building 9 (Retaining Wall) Building 10 (Retaining Wall)	Phoebe Austin LP c/o Mathew S. Meza
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Cassandra Shanbaum, Attorney and Registered Agent and J.J. Bailey, Property Manager represented the property owner at the hearing. Ms. Shanbaum requested the BSC to continue the case to October. She stated construction was starting next week. Inspector Ortiz stated the Building 6 landing repair is completed. Chair Freiburger admitted Staff Exhibits 1, 2A-2F and the property owner's Exhibits 1 and 2. Commissioner Avila motioned to continue the case to the September meeting. Commissioner Ogunbode made a friendly amendment to require the property owner to provide the BSC with updated construction schedule and progress documents. Commissioner Avila accepted the amendment. There was no second. The motion failed 2-8. Commissioner Natalya Sheddman was absent.

Commissioner Avila made an alternative motion to adopt the proposed findings of fact and conclusions of law and adopt Staff's recommended orders for Building 6, 9, and 10 for repair within 45 days from the date the order is mailed, with penalties of \$1,000 to begin to accrue on the 46th day if not in compliance, with one modification, i.e., to extend the timeframe to 90 days, seconded by Commissioner Thompson. The motion carried 9-1. Commissioner Briceno voted against the motion.

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| 3. | 1704 Nelms Drive aka Sunrise Bluffs
Apartments
Building 10 (Exterior)
Building 11 (Exterior)
Building 22 (Exterior) | CNC Austin Lights LP |
| CL 2020-086214 | | |
| CL 2020-086201 | | |
| CL 2020-086171 | | |

Sheryl Cook, Adara Communities Regional Supervisor and Ramana Archanta, Construction Supervisor represented the property owner at the hearing. Chair Freiburger admitted Staff Exhibits 1, 4A-4D. Commissioner Stostad motioned to adopt the proposed findings of fact and conclusions of law and adopt Staff's recommended orders for Building 10, 11, and 22 for repair within 45 days from the date the order is mailed, with penalties of \$1,000 to begin to accrue on the 46th day if not in compliance, seconded by Commissioner Green. The motion passed 10-0. Commissioner Ogunbode motioned to modify the adopted order for Building 22 by requiring the stairwell area must be secured within 14 days after the order is mailed. This motion was not seconded. The motion passed 10-0. Commissioner Natalya Sheddman was absent.

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| 4. | 1070 Mearns Meadow Boulevard aka The Vibe
Apartments, LLC
Building 10 (Exterior) | Arch Arbors Owner LLC & Limited |
| CL 2020-086240 | | |

Dan Benak, VP Construction and Chris Mayes, Contractor, CPC represented the property owner at the hearing. Chair Freiburger admitted Staff's Exhibits 1, 2A-D. Commissioner Briceno made the motion to adopt the proposed findings of fact and conclusions of law and adopt Staff's recommended order for repair within 45 days from the date the order is mailed, with penalties of \$1,000 to begin to accrue on the 46th day if not in compliance. The motion was seconded by Commissioner Mangrum. The motion carried 10-0. Commissioner Natalya Sheddman was absent.

ACTION ITEMS

5. Discussion and planning regarding the Annual Internal Review Report

Commissioner Mueller requested additional details to items 1 and 2 in the draft report. This information includes the types of cases considered by the Commission and the number of dangerous building cases. Accordingly, Staff will update the draft report and provide the report to the Commission at the next meeting for discussion and approval.

FUTURE AGENDA ITEMS

Discussion (or Staff Briefing) on COVID-19 and how it is impacting the BSC.
Review the Annual Internal Review Report and approve report

ADJOURNMENT

Chair Andrea Freiburger adjourned the meeting at 9:19 p.m.