



BUILDING AND STANDARDS COMMISSION

REGULAR MEETING MINUTES

Date: February 23, 2022

The Building and Standards Commission (BSC) convened at City Hall and via video conference for a regular hybrid meeting on Wednesday, February 23, 2022. The meeting was available for viewing live at <http://www.austintexas.gov/page/watch-atxn-live>.

Commission Members in Attendance:

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

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Austin Code Division Manager; James Candelas, Program Specialist; Farah Presley, Inspector; Daniel Word, Assistant Director; Elaine Garrett, Assistant Director; James Adams, Supervisor; Dedric Knox, Supervisor; Johnny Serna, Inspector; Juan Villarreal, Inspector; Michael Brunning, Inspector; Lauren Khoury, Assistant City Attorney; and Rain Birchfield, 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 Mueller for approval of the January 26, 2022 regular meeting minutes. The motion was seconded by Commissioner Green. The motion carried on an 8-0-1 vote.

CITIZEN COMMUNICATION

PUBLIC HEARINGS

Case(s):

<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner</u>
1. CL 2022-017553; 2022-017560; 2022-017562; 2022-017563; 2022-017564; 2022-017566; 2022-017567; 2022-017568; 2022-017569; 2022-017570; 2022-017571; 2022-017576; 2022-017577; 2022-017578; 2022-017579; 2022-017580;	9200 North Plaza, Buildings 2, 5, 6, 21, 22, 24 -34 (Exteriors); Pool (near Bldg. 25); Laundry Room (near Bldg. 13) and Sport Court	TMIF Park at Stone LP

**2022-017587; 2022-017588; and
2022-017590**

The property was represented at the hearing by Erin DeBooy, attorney for owner, and Olivia Rutledge, property manager. Chair Freiburger admitted Staff Exhibits 1 through 39D. Chair Freiburger also admitted the Property Owners Exhibits 1 through 4. Chair Freiburger moved to close the public hearing. Commissioner Stostad moved to adopt staff's findings of fact, conclusions of law and recommended order for repairs in all 19 cases with modifications, i.e., to shorten the timeframe from for repair to 30 days from the date the orders are mailed. Also, Commissioner Stostad added to the order concerning the Pool, for the enclosure be secured 24 hours from the date of the hearing. Commissioner Thompson seconded, and the motion carried on a 7-1-1 vote. Chair Freiburger voted against and Commissioner Benigno abstained. Vice Chair Avila and Commissioner Ogunbode were absent.

2. CL 2022-018675 1512 Wheless Lane DeLoach Property Interests, Inc.

The new title owner, Urban Lofts, XXIII, Ltd., was represented at the hearing by attorneys Frank Carroll and Jaclyn Wahlberg, with property representatives Larry Davis and Ben Navo also attending by phone. Chair Freiburger admitted Staff Exhibits 3 and 4A - 4I. Chair Freiburger also admitted exhibits from the property representatives, marked as 1 through 13. Commissioner Benigno moved to continue the case for 60 days, seconded by Commissioner Green. The motion failed on a 4-5 vote. Chair Freiburger moved to adopt staff's findings of fact and conclusions of law, and adopt staff's recommended order with one modification, i.e., to extend the timeframe from 45 to 90 days for demolition of the structure, seconded by Commissioner Stostad. The motion carried on an 8-1 vote. Commissioner Thompson voted against. Vice Chair Avila and Commissioner Ogunbode were absent.

Returning Case(s):

3. CL 2021-190864 2324 Bitter Creek Drive Christian Ministries Magdalene Trust

The property was represented at the hearing by Belinda Rosa, trustee. The property owner was asked to return to the Commission with additional information in support of a request for an order longer than 90 days. Chair Freiburger admitted staff Exhibits 3 and 4A – 4F. Chair Freiburger moved to close the public hearing. Chair Freiburger also admitted property owner Exhibits 1 and 2. Commissioner Thompson moved to adopt staff's proposed findings of fact and conclusions of law, and extend the recommendation for repairs to 90 days, seconded by Commissioner Selig. A friendly amendment was added to the motion by Commissioner Benigno to reduce the penalty for non-compliance from \$250 per week to \$250 per month, which was accepted by Commissioners Green and Selig. The motion carried on a 9-0 vote. Vice Chair Avila and Commissioner Ogunbode were absent.

DISCUSSION AND POSSIBLE ACTION ITEMS

5. Discussion regarding modification of Building and Standards Commission Orders.

The Commission was given a quick overview of standards to apply for cases that return to the Commission once an order has been issued. A request may come from a property owner, city staff or a commissioner. Standards might include the conditions of the property, or other criteria, dependent on what the Commission wants. There was some discussion of establishing a working group or gathering examples of what other cities do in the same situation.

FUTURE AGENDA ITEMS

The next regular meeting is set for March 23, 2022. The following items were considered for future agendas:

600 Barwood, Bldg. 22 (aka Remington House Apartments) / CL 2022-002014 – This case was continued for 60 days, to be heard again at the March 23, 2022 meeting.

Continue the discussion regarding modification of Building and Standards Commission orders and creation of a working group.

At the April meeting, the Commission will hold elections for its officers.

ADJOURNMENT

Chair Freiburger adjourned the meeting at 10:06 p.m.