



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 24

Agenda Date: August 8, 2024

In Control: City Council A Session

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

This ordinance will approve an update to the roles and creation of sub-committees within Chapter 6, Buildings, Section 6-155, regarding the Building Standards Board and Chapter 10, Building-Related Codes, Section 10-14(f), regarding the Building-Related and Fire Codes Appeals and Advisory Board.

SUMMARY:

This ordinance will update to allow for non-appointed members on subcommittees of the board to vote and be counted toward a quorum within Chapter 6, Buildings, Section 6-155 and Chapter 10, Building-Related Codes, Section 10-14(f), Building-Related and Fire Codes Appeals and Advisory Board, Committees. These sections set the process for the development of subcommittees by the boards.

BACKGROUND INFORMATION:

The Building Standards Board (BSB) is a quasi-judicial board established to hear appeals to and violations of the San Antonio Property Maintenance Code (SAPMC) and summary abatement appeals. The Board also hears and orders repairing or demolishing dangerous buildings and distressed properties. The BSB is a citizen-based board comprised of 14 members appointed by the City Council in accordance with Chapter 6, Section 6-155. The BSB may form code review

subcommittees to review the newly published codes and to receive public comments on these codes and their associated amendments.

Before conducting public hearings on any nationally recognized property maintenance-related codes, the San Antonio Property Maintenance Code, and any associated amendments thereto, or Chapter 6, Article VIII Building Standards Board, the BSB shall form code review subcommittees.

During the 2021 SAPMC review process, the non-appointed members of the BSB Subcommittee noted the limitations placed on their position, which reduced the overall diversity and representation of the subcommittee when reviewing proposed changes to city ordinances. Based on this feedback, the Development Services Department (DSD) staff proposed amending Chapter 6, BSB, allowing non-appointed members to vote and count toward a quorum for subcommittee meetings. BSB subcommittees will be comprised of four (4) to six (6) board members. In addition to board members, a maximum of four (4) additional appointees or one (1) less than the number of board members appointed to the subcommittee by the board members may serve as voting members.

The Building-Related and Fire Codes Appeals and Advisory Board (BRFCAAB) hears and decides appeals of orders, decisions, or determinations made by the building official or the fire chief relative to the application and interpretations of chapter 10, chapter 11, and specific articles in chapter 28 of the City Code. In addition, the appeals and advisory board may form subcommittees to advise on specific matters, as the purpose of code review subcommittees is to review the newly published codes and receive public comments on these codes and their associated amendments.

BRFCAAB is comprised of seventeen (17) voting members and seventeen (17) alternates who are qualified by experience and training to act on building-related and fire codes and may not be city employees.

Before conducting public hearings on any nationally recognized building-related codes, the City of San Antonio Signs Code, and any associated amendments thereto, the appeals and advisory board shall form code review subcommittees.

Code review subcommittees comprise four (4) to seven (7) board members and their alternates. In addition to board members, a maximum of four (4), or one (1) less than the number of appointed board members, additional members not appointed by the Mayor and City Council can be added to a subcommittee by the board members. These non-appointed subcommittee members are non-voting and do not account for the required quorum to hold a subcommittee.

During the 2023 Sign Code review process, the non-appointed members of the Sign Code Subcommittee noted that the limitations placed on their positions on the subcommittee reduced its overall diversity and representation when reviewing proposed changes to city ordinances. Based on this feedback, DSD staff proposed amending Chapter 10 to the BRFCAAB to allow non-appointed members to vote and count toward a quorum for subcommittee meetings. DSD and the BRFCAAB reviewed proposed amendments over three meetings from January to March 2024 and

approved recommended changes on March 26, 2024

DSD presented the proposed amendments to the Planning and Community Development Committee (PCDC) on June 27, 2024. The PCDC approved DSD to submit the proposed changes to City Council with no recommended changes.

ISSUE:

The creation of subcommittees by the BSB and BRFCAB is a critical part of the code adoption process. By expanding the role of non-board member appointments to the subcommittees to include voting and quorum, the code adoption process will be more open and transparent, resulting in codes that better reflect the needs of the San Antonio community.

ALTERNATIVES:

The city could choose to not expand the roles of non-board members appointed to subcommittees for the BSB and BRFCAB, resulting in the process used in previous code adoption cycles to continue as they did previously.

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Development Services Department recommends the City Council consider and approve the proposed amendments to Chapter 6 and Chapter 10 of the San Antonio City Code.