



BUILDING AND STANDARDS COMMISSION

SPECIAL CALLED MEETING MINUTES

Date: May 13, 2021

The Building and Standards Commission (BSC) convened remotely via video conference for a special called meeting on Thursday, May 13, 2021. 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; and Commissioners: Wordy Thompson, John Green, Elizabeth Mueller, Timothy Stostad and Ex Officio Commissioner Chief Thomas Vocke. Commissioner Sade Ogunbode was absent.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Austin Code Division Manager; Marlayna Wright, Austin Code Supervisor; James Candelas, Program Specialist; Farah Presley, Investigator; Jose Roig, Austin Code Director; Elaine Garrett, Austin Code Assistant Director; Kecia Lara, Austin Code Field Supervisor; Moses Rodriguez, Code Acting Supervisor; Justin Brummer, Code Acting Supervisor; Johnny Serna, Code Inspector; Bill Evans, Code Inspector; Patricia Link, Assistant City Attorney; Daniel Murphy, CTM A/V Technician.

CALL TO ORDER

Chair Freiburger called the Commission Meeting to order at 6:32 p.m.

APPROVAL OF MINUTES

Approval of the March 24, 2021 and April 28, 2021 regular meeting minutes was continued, with approval of Chair Freiburger to the next meeting.

CITIZEN COMMUNICATION

Alexis Garcia, a tenant at 9500 Apartments, located at 9500 Dessau Road, and as part of the 9500 Tenant Association, provided testimony to the Commission regarding the conditions at 9500 Apartments.

PUBLIC COMMENT

Taniquewa Brewster and Shakita Plair, both tenants at Mt. Carmel Village Apartments, located at 2504 New York Drive, as well as members of the Mount Carmel Tenants Association, addressed the Commission regarding conditions at Mt. Carmel Apartments.

Mueller Flats tenants Maria Rico, Mara Heppen and David Rojas, as well as BASTA representative Gabby Garcia, provided testimony to the Commission regarding conditions at Mueller Flats, located at 1071 Clayton Lane. Interpreter Susan Pimiento provided Spanish translation for tenant Maria Rico. Additional written testimony from other tenants at Mueller Flats was also provided to the Commission.

PUBLIC HEARINGS

New Case(s):

<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner:</u>
1. CL 2021-059641, et al.	2504 New York Drive aka Mount Carmel Village Apartments	2008 East Austin Mount Carmel I, L.P.

Owner's representative, attorney Pam Madere, represented the above-referenced property at the hearing.

Chair Freiburger admitted Staff Exhibits 1 and 2A-2O and Property Owner Exhibit 1.

Commissioner Green moved to close the public hearing, adopt Staff's proposed findings of fact and conclusions of law and, recommendation for repair within 45 days with penalties of \$1,000 per week to begin on the 46th day, seconded by Commissioner Mueller.

Commissioner Selig offered a friendly amendment to extend the timeframe to 75 days, with a staff update to be provided to the Commission at the June meeting. Penalties would begin on the 76th day if compliance has not been achieved. Commissioners Green and Mueller accepted the friendly amendments. The motion passed unanimously on a vote of 7-0-0. Commissioner Ogunbode was absent.

<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner:</u>
2. CL 2021-059691, et al.**	1071 Clayton Lane, aka Mueller Flats Apartments **	FBCC Citypoint, LP

Note: Two of the cases noticed for hearing and listed on the agenda were not heard, i.e., CL 2021-060182/ Building 4, Unit 405 and CL 2021-062382/ Building 7, Unit 706. The remaining 59 cases were heard concurrently and were represented by owner representative, attorney Kevin Terrazas.

Chair Freiburger admitted Staff even-numbered Exhibits 1 2-120 and odd-numbered exhibits 3-121D; and, also admitted Property Owner Exhibits 1-8.

Commissioner Mueller moved to close the public hearing, and to adopt Staff's findings of fact and conclusions of law, as well as staff's recommendation for separate orders by building, each of which require repair within 45 days, with penalties of \$2,000 per week to begin accruing on the 46th day if not in compliance. The motion was seconded by Commissioner Selig. The motion passed on a vote of 7-0. The motion passed on a vote of 7-0-0. Commissioner Ogunbode was absent.

DISCUSSION AND POSSIBLE ACTION ITEMS

3. Presentation: 2021 International Property Maintenance Code (IPMC) Proposed Amendments

Austin Code Supervisor Kecia Lara made this presentation to the Commission. Austin Code Supervisor Moses Rodriguez, one of the collaborators for this presentation, was also present to assist.

FUTURE AGENDA ITEMS

The next meeting regular meeting is set for May 26, 2021. The Commission will continue to hear updates regarding Winter Storm damaged properties. The Commission is scheduled to hear a staff update regarding 2504 New York Drive aka Mount Carmel Village Apartments at the June 23, 2021 meeting. It was also requested that Staff bring 9500

Dessau Road aka 9500 Apartments back to the Commission when appropriate, either as an agenda item set for action or as an update.

ADJOURNMENT

Chair Freiburger adjourned the meeting at 9:29 p.m.

1071 CLAYTON LANE aka Mueller Flats Apartments CL 21-059691, et al.**								
Building 1			Building 7			Building 13		
Unit #	CV #	CL #	Unit #	CV #	CL #	Unit #	CV #	CL #
112	21-041941	21-059691	701	21-044058	21-060227	1304	21-043541	21-060642
114	21-031259	21-059692	702	21-041127	21-060635	1308	21-042699	21-060643
115	21-042076	21-059717	703	21-044063	21-060299	1309	21-042594	21-060005
116	21-042185	21-059738	704	21-044068	21-062389	1311	21-042750	21-060021
119	21-042281	21-060150				1314	21-043524	21-060646
122	21-037363	21-059751	709	21-044093	21-060310	1315	21-042559	21-062441
124	21-042233	21-059742	711	21-044107	21-060320	1316	21-042778	21-060647
						1319	21-042986	21-060043
						1323	21-040114	21-060053
Building 2			Building 8					
Unit #	CV #	CL #	Unit #	CV #	CL #			
210	21-042566	21-059970	816	21-046592	21-062754	Building 14		
217	21-041340	21-060162				Unit #	CV #	CL #
224	21-042507	21-059976	Building 10			1401	21-039739	21-060063
			Unit #	CV #	CL#	1424	21-044984	21-060391
			1007	21-042378	21-062463			
Building 3			1010	21-033167	21-060639			
Unit #	CV #	CL #	1012	21-038895	21-062435	Building 15		
325	21-042604	21-061582	1013	21-045865	21-059739	Unit #	CV #	CL #
334	21-046233	21-059991	1019	21-038870	21-060335	1514	21-043211	21-060376
			1021	21-038890	21-062398	1516	21-039566	21-060221
Building 4			1023	21-038878	21-062402	1518	21-043422	21-060214
Unit #	CV #	CL #				1519	21-044616	21-060072
						1522	21-039509	21-060161
407	21-041510	21-060184	Building 11					
408	21-038825	21-062750	Unit #	CV #	CL #			
417	21-042271	21-060192	1107	21-041066	21-062407	Building 16		
			1108	21-039202	21-061994	Unit #	CV#	CL#
			1109	21-039820	21-059987	1613	21-039374	21-060107
Building 5						1616	21-046034	21-060649
Unit #	CV #	CL #				1617	21-043082	21-060117
505	21-038841	21-060198	Building 12					
507	21-038849	21-060210	Unit #	CV #	CL #			
			1212	21-040867	21-060641			
			1215	21-045732	21-062438			
Building 6								
Unit #	CV #	CL #						
622	21-038857	21-060629						
625	21-043471	21-060216						
631	21-038851	21-060222						