



BUILDING AND STANDARDS COMMISSION

REGULAR MEETING MINUTES

Date: March 23, 2022

The Building and Standards Commission (BSC) convened at the City of Austin Permit and Development Center and via video conference for a regular hybrid meeting on Wednesday, March 23, 2022. The meeting was available for viewing by delayed broadcast at <http://www.austintexas.gov/page/watch-atxn-live>.

Commission Members in Attendance:

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

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Austin Code Division Manager; Farah Presley, Inspector; Daniel Word, Assistant Director; Elaine Garrett, Assistant Director; Matthew Noriega, Division Manager; James Adams, Supervisor; Dedric Knox, Supervisor; John Rodriguez, Inspector; Erica Thompson, Inspector; Marisol Valderrama, Inspector; Johnny Serna, Inspector; Lauren Khoury, Assistant City Attorney; and Daniel Murphy, CTM A/V Technician.

CALL TO ORDER

Chair Freiburger called the Commission Meeting to order at 6:40 p.m.

APPROVAL OF MINUTES

A motion was made by Commissioner Francis for approval of the February 23, 2022 regular meeting minutes and the revised minutes of the December 8, 2021 regular meeting. The motion was seconded by Commissioner Ogunbode. The motion carried on a 9-0 vote.

PUBLIC COMMUNICATION

No one appeared at the meeting to provide Public Communication on an item not on the Agenda.

PUBLIC HEARINGS

Case(s):

<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner</u>
1. CL 2022-031759	1614 Suffolk Drive	UDTX, LLC

The property was represented at the hearing by Nicolas Rojas, owner's designee. Chair Freiburger admitted Staff Exhibits 1 and 2A through 2I. Commissioner Ogunbode moved to close the public hearing. Commissioner Ogunbode moved to adopt staff's findings of fact, conclusions of law and adopt staff's recommended order for repairs within 45 days. Commissioner Stostad seconded, and the motion carried on a 9-0 vote. Vice Chair Avila and Commissioner Thompson were absent.

2. CL 2022-031771

700 W. Applegate Drive

700 AG, Ltd.

The property was represented at the hearing by Jimmy Harvey. Chair Freiburger admitted Staff Exhibits 1 and 2A – 2J. Commissioner Francis moved to adopt staff’s proposed findings of fact and conclusions of law, and adopt staff’s recommended order for repair within 45 days, seconded by Commissioner **Stostad**. The motion carried on a 9-0 vote. Vice Chair Avila and Commissioner Thompson were absent.

**3. CL 2022-031841;
CL 2022-031882;
CL 2022-031885; and
CL 2022-031896**

**8600 N. Lamar Blvd., Bldgs. A-D
(aka the Palms on Lamar)**

**LIH Lamar Housing Associates,
LP**

The property was represented at the hearing by Matthew Gilbert and James McKnight, representatives from the property management company. Chair Freiburger admitted staff Exhibits 1 through 8G. Commissioner Mueller moved to close the public hearing. Chair Freiburger also admitted property owner Exhibit 1. Commissioner Benigno moved to adopt staff’s proposed findings of fact and conclusions of law, and extend the recommendation for repairs to 90 days, but keeping the requirement for providing access to on-site temporary hot water facilities in place. Commissioner Green made a competing motion to adopt staff’s recommended order as originally stated. Commissioner Stostad added a friendly amendment to Commissioner Green’s motion, to include a penalty of \$2,000 per week for non-compliance with the requirement to provide access to on-site temporary hot water facilities. The friendly amendment was agreed to by Commissioner Green, and thus the motion was seconded by Commissioner Stostad. This motion carried on a 7-2 vote, with Chair Freiburger and Commissioner Benigno voting against. Vice Chair Avila and Commissioner Thompson were absent.

4. CL 2022-031831

**1500 Reagan Hill Drive (aka 1501 Reagan
Hill Drive aka Val Dor 2 Apartments)**

**AIC Multifamily Investment
Austin (DE), LLC**

The property was represented at the hearing by Tanya Baird, property manager, Carlos Ulin, project manager, and Cole Daugherty, project manager. Chair Freiburger admitted staff Exhibits 1 and 2A – 2R. Chair Freiburger also admitted property owner Exhibits 1, 2 and 3. Commissioner Benigno moved to close the public hearing. Commissioner Green moved to adopt staff’s proposed findings of fact and conclusions of law, as well as staff’s recommendation for repairs within 45 days with a penalty of \$2,000 per week for non-compliance, seconded by Commissioner Selig. The motion carried on a 9-0 vote. Vice Chair Avila and Commissioner Thompson were absent.

Returning Case(s):

5. CL 2022-002014

**Barwood Park, Bldg. 22 (aka the
Remington House Apartments)**

**CF House Associates Limited
Partnership**

The property was represented at the hearing by Erin DeBooy, attorney for owner, and Melinda Walker. This property returns from the January 2022 meeting, where the Commission asked the property owner to return with evidence to support extending the timeframe for compliance beyond 90 days. Chair Freiburger admitted staff Exhibits 3 and 4A through 4I. Chair Freiburger also admitted property owner’s Exhibits A through G. Commissioner Mueller moved to close the public hearing. Commissioner Mueller moved to adopt staff’s proposed findings of fact and conclusions of law, and adopt staff’s recommended order for repair, but extend the timeframe for repairs to 252 days, and additionally require the owner to submit written updates to the coordinator every two months. The motion was seconded by Commissioner Ogunbode, and carried on a 9-0 vote. Vice Chair Avila and Commissioner Thompson were absent.

DISCUSSION AND POSSIBLE ACTION ITEMS

6. Modification of Building and Standards Commission Orders and creation of a working group.

Due to time constraints, the Commission pushed discussion of this item to the April meeting.

FUTURE AGENDA ITEMS

The next regular meeting is set for April 27, 2022. The following items were considered for future agendas:

- Election of Officers at the April 27, 2022 meeting
- Continue the discussion regarding modification of Building and Standards Commission orders and creation of a working group.

ADJOURNMENT

Chair Freiburger adjourned the meeting at 10:00 p.m.