



**BUILDING AND STANDARDS COMMISSION  
MINUTES**

**REGULAR MEETING**  
Date: December 14, 2016

The Building and Standards Commission (“BSC”) convened for a regular meeting on Wednesday, December 14, 2016 at City Hall, Council Chambers, 301 West 2<sup>nd</sup> Street, Austin, Texas.

**Commission Members in Attendance:**

Charles Cloutman, Chair; Ashley Holmes; Andrea Freiburger; Wordy Thompson; Melissa Orren; Jessica Mangrum, Vice Chair; John McIntyre; Natalya Sheddan; Brian Talley; and John Green.

**Staff in Attendance:**

Edgar Hinojosa, Assistant Division Manager (ADM)/ Acting BSC Coordinator; Patricia Link, Assistant City Attorney; Merlinda Coleman, Program Specialist; Marcus Elliott, Division Manager; Dan Cardenas, Assistant Director; Don Birkner, Assistant Director; Melanie Alley, Program Specialist; Doug Jansky, Administrative Hearing Coordinator; Cathy Rivas, Code Inspector; Marlayna Wright, Code Inspector; Robert Moore, Assistant Division Manager; Michael Dial, Assistant Division Manager; Elaine Garrett, Division Manager; Moses Rodriguez, Acting Assistant Division Manager; Hilda Martinez, Code Inspector; Cora D. Wright, Interim Director, Austin Code.

**CALL TO ORDER**

Chair Charles Cloutman called the Commission Meeting to order at 6:35 p.m.

**1. CITIZEN COMMUNICATION: GENERAL**

Kacee Jackson appeared before the Commission requesting for property at 2101 Lemon Avenue Unit A and B, be brought back before the Commission as a returning case for next month. Chair Cloutman requested for case to be put in the agenda for January.

Stuart Harry Hersh spoke before the Commission suggesting for the Commission to adopt the Planning Department way of posting the agendas, and suggested to post the backup material that is not judicial cases at the same time the agenda gets posted.

**2. APPROVAL OF MINUTES**

The commission approved the minutes for September 2016, April 2016, March 2016, and August 2015 in a unanimous vote. The vote was 10-0

**3. PUBLIC HEARINGS**

**A. New Case(s)**

Acting Commission Coordinator/ ADM Edgar Hinojosa presented the following cases:

<u>Case Number</u>	<u>Street Address</u>	<u>Owner</u>
a. <b>2016-127023</b>	<b>2103 Nueces St.</b>	<b>Texas Friends of Chabad Lubavitch Inc.</b>
The property located at 2103 Nueces St. is an unoccupied, commercial structure with substandard and dangerous conditions. Staff’s recommended order included: To require the owner or owner’s representative to complete all repair within 60 days, if compliance is not achieved order a penalty of \$1000.00 a week. The case was represented by Mr. Chris Pesero and John Cotton		

Chair Charles Cloutman admitted Exhibits 1 and 2A through 2W.

Commission Member Natalya Sheddman made a motion to amend staff's proposed recommended order to extend the time to complete repairs to six months from the time the order is mailed to the owner, and allow for penalties of \$1000.00 a week to begin to accrue after six months. New owner will have to provide a report in writing to the commission in March, and every month after. The motion was seconded by Commission Member John McIntyre. The motion carried on a 10-0 vote.

**b. 2016-066235**

**3500 Greystone Dr. Bldg. 5**

**Palgol LLC**

The property located at 3500 Greystone Dr. Building 5 is an unoccupied, commercial structure with substandard and dangerous conditions due to fire. Staff's recommended order included: To require the owner or owner's representative to complete all repair within 60 days, if compliance is not achieved order a penalty of \$1000.00 a week.

The case was represented by Rich Trepanier

Chair Charles Cloutman admitted Staff's Exhibit 1 and 2A through 2I.

Commission Member Andrea Freiburger made a motion to revise staff's proposed recommended order to extend the time to complete all repairs to July 31, 2017 from the time the order is mailed to the owner, and allow for penalties of \$1000.00 a week to begin to accrue after July 31, 2017. New owner will have to provide a report in writing to the commission in March, and every month after. The motion was seconded by Commission Member Brian Talley. The motion carried on a 10-0 vote.

After break taken, Commission Member John McIntyre made a motion to amend the order to require property owner to provide a progress report in May of 2017, and provide another report in June of 2017. The motion was seconded by Commission Member Andrea Freiburger. The motion carried on a 10-0 vote.

**B. Update Cases**

<u>Case Number</u>	<u>Address</u>	<u>Owner(s)</u>
<b>a. 2016-111720, et al.</b>	<b>3839 Dry Creek Drive, Unit 101</b>	<b>Chau Quach</b>
2016-111722	3839 Dry Creek Drive, Unit 102	Mosharraf Houman
2016-111724	3839 Dry Creek Drive, Unit 103	Denise Hurd
2016-111726	3839 Dry Creek Drive, Unit 104	Jayne Steinmetz
2016-111727	3839 Dry Creek Drive, Unit 105	Alan Bergstrom
2016-111730	3839 Dry Creek Drive, Unit 106	Tara Hawthorne
2016-111732	3839 Dry Creek Drive, Unit 107	William H. Carville
2016-111735	3839 Dry Creek Drive, Unit 108	Susan E. & William H. White
2016-111737	3839 Dry Creek Drive, Unit 109	Amy R. Mullen
2016-111778	3839 Dry Creek Drive, Unit 110	Nita Franks
2016-111741	3839 Dry Creek Drive, Unit 201	Kristi Lynn Harrison Trust
2016-111742	3839 Dry Creek Drive, Unit 202	Nora Roostaie
2016-111749	3839 Dry Creek Drive, Unit 203	Debra Joy Cain
2016-111752	3839 Dry Creek Drive, Unit 204	Gabrielle Rosa
2016-111754	3839 Dry Creek Drive, Unit 205	Krista Lynn Sease
2016-111757	3839 Dry Creek Drive, Unit 206	Alex B. Franz
2016-111786	3839 Dry Creek Drive, Unit 207	Priscilla L. Faris
2016-111758	3839 Dry Creek Drive, Unit 208	Vincent James LaVigna
2016-111759	3839 Dry Creek Drive, Unit 209	Marek & Malgorzata Kacewicz
2016-111762	3839 Dry Creek Drive, Unit 210	Florence S. Hinds

Status updates for 3839 Dry Creek Drive, Building B, a residential condominium structure damaged by fire, were provided by Code Inspector Marlayna Wright; Dry Creek West Homeowners' Association Board Member Krista Sease; General Contractor, Ron Little; Public Adjustor, Scott Frietson; Attorney for several of the Condo owners, James Reid; Condo owners Diane Campbell, and Dennis Hurd.

Currently demolition permits have been pulled, and demolition is in progress. No reconstruction permits have been obtained and plans are currently going thru the review process. Chair Charles Cloutman asked staff to add the case to next month's agenda for possible action.

#### 4. DISCUSSION AND BRIEFINGS

##### A. Proposed changes to the City's Property Maintenance Code

Assistant Director Don Birkner provided the commission a PowerPoint presentation regarding the proposed changes to the 2015 IPMC. Chair Charles Cloutman asked staff to bring back item next month for possible action, and address the comments, and modifications suggested by the commission. The commission asked for further clarification on occupancy limits, recommendation to count a child under 24 months as a half person, revise the two person per bedroom change, guardrail standard, carbon monoxide standard, and electrical service standards from 60 amps to 100 amps. No vote was taken.

<b>b. 2015-098837, et al.</b>	<b>1124 Rutland Dr., Bldgs. 1-18 &amp; Main Office</b>	<b>NAHC Cross Creek Apartments, LLC</b>
2015-098835	1124 Rutland Drive, Bldg. 1	NAHC Cross Creek Apartments, LLC
2015-088845	1124 Rutland Drive, Bldg. 2	NAHC Cross Creek Apartments, LLC
2015-098847	1124 Rutland Drive, Bldg. 3	NAHC Cross Creek Apartments, LLC
2015-098850	1124 Rutland Drive, Bldg. 4	NAHC Cross Creek Apartments, LLC
2015-098853	1124 Rutland Drive, Bldg. 5	NAHC Cross Creek Apartments, LLC
2015-098854	1124 Rutland Drive, Bldg. 6	NAHC Cross Creek Apartments, LLC
2015-098857	1124 Rutland Drive, Bldg. 7	NAHC Cross Creek Apartments, LLC
2015-098861	1124 Rutland Drive, Bldg. 8	NAHC Cross Creek Apartments, LLC
2015-098864	1124 Rutland Drive, Bldg. 9	NAHC Cross Creek Apartments, LLC
2015-098869	1124 Rutland Drive, Bldg. 10	NAHC Cross Creek Apartments, LLC
2015-098870	1124 Rutland Drive, Bldg. 11	NAHC Cross Creek Apartments, LLC
2015-098871	1124 Rutland Drive, Bldg. 12	NAHC Cross Creek Apartments, LLC
2015-098874	1124 Rutland Drive, Bldg. 13	NAHC Cross Creek Apartments, LLC
2015-098877	1124 Rutland Drive, Bldg. 14	NAHC Cross Creek Apartments, LLC
2015-098880	1124 Rutland Drive, Bldg. 15	NAHC Cross Creek Apartments, LLC
2015-098881	1124 Rutland Drive, Bldg. 16	NAHC Cross Creek Apartments, LLC
2015-098885	1124 Rutland Drive, Bldg. 17	NAHC Cross Creek Apartments, LLC
2015-098886	1124 Rutland Drive, Bldg. 18	NAHC Cross Creek Apartments, LLC
2015-098837	1124 Rutland Drive, Main Office	NAHC Cross Creek Apartments, LLC

Inspector Hilda Martinez provided an update that the property remains in violation, no current changes, and is scheduled to go District Court. Mentioned of Cross Creek attorney Mitchell Zoll not being present, but he provided update in writing to the commission.

#### 5. FUTURE AGENDA ITEMS

##### 6. ADJOURNMENT

Chairperson Charles Cloutman adjourned the Commission Meeting at 10:00 pm on Commission Member Natalya Sheddian motion. Commission Vice chair Jessica Magnum's and Commission John Green seconded without any objection on a 10-0-0 vote.