



**BUILDING AND STANDARDS COMMISSION
MINUTES**

REGULAR MEETING
Date: March 22, 2017

The Building and Standards Commission (“BSC”) convened for a regular meeting on Wednesday, March 22, 2017 at City Hall, Boards and Commission Room, Room 1101, 301 West 2nd Street, Austin, Texas.

Commission Members in Attendance:

Charles Cloutman, Chair; Jessica Mangrum, Vice-Chair; Natalya Shedden; Wordy Thompson; Andrea Freiberger; Ashley Holmes; John McIntyre, John Green and Brian Talley.

Staff in Attendance:

Edgar Hinojosa, Acting BSC Coordinator/Assistant Division Manager; Patricia Link, Senior Assistant City Attorney; Paul Tomasovic, Assistant Director; Marcus Elliott, Division Manager; Moses Rodriguez; Code Inspector; and Merlinda Coleman, Program Specialist.

CALL TO ORDER

Chair Charles Cloutman called the Commission Meeting to order at 6:34 p.m.

1. APPROVAL OF MINUTES

The minutes for February 2016, May 2016, and February 2017 were accepted per a motion brought by Commission Co-Chair Jessica Mangrum, seconded by Commission Member John McIntyre. The motion passed on a 9-0 vote. Commission Members Julio Carrillo and Melissa Orren were absent.

2. CITIZEN COMMUNICATION: GENERAL

A. Mr. Stuart Harry Hersch spoke to the Commission regarding recommendations by the Building and Fire Code Board of adoption of the 2015 International Residential Code that governs single family and duplexes and, the 2015 International Building Code that governs multi-family, commercial and mixed use. Additionally, the 2015 International Existing Building Code is recommended by both the staff and the Board for adoption by reference. Mr. Hersch added that the significance of this adoption, if successful, for the first time we would have annual permits in Austin, creating a much simpler process for permitting for people making repairs. This would also provide clearer, fairer standards that are internationally recognized.

B. Mr. Jeremy Jagodzinski addressed the Commission regarding adjoining property to his residence, owned by Mr. Ronald Keith Valentine and is located at 5506 Avenue H. Mr. Jagodzinski stated that he and his wife have previously sought relief in Municipal Court, and that the property has previously come before the BSC Commission, at which time a repair order was issued. Mr. Jagodzinski spoke about the ongoing renovations being made by Mr. Valentine to his home and asked if there is anything that the Commission could do about the ongoing construction and unsanitary conditions at this property.

Chair Cloutman asked that the case be placed on next month’s agenda and that Mr. Jagodzinski return to the meeting on April 26, 2017 to provide a rebuttal to the Owner’s testimony. It was also requested that the Owner send his materials to Mr. Hinojosa to include in next month’s case presentation.

3. PUBLIC HEARINGS

A. New Case(s)

There were no new cases brought before the Building and Standards Commission at this meeting.

B. Returning Case(s)

There were no returning cases brought before the Building and Standards Commission at this meeting.

C. Update Cases

<u>Case Number</u>	<u>Street Address</u>	<u>Owner</u>
1. 2015-098837, et al.	1124 Rutland Dr., Bldgs. 1-18 & Main Office	NAHC Cross Creek Apartments, LLC
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

The property, Cross Creek Apartments, located at 1124 Rutland Drive, Buildings 1-18 and Main Office, is an occupied commercial apartment complex.

The property owners were not present. Commission Member John Green, who is from North Austin and a part of and is in the neighborhood association in that area, provided an update. Royce Mulholland, the investor for the property, recently passed away. The owners are waiting for the investment group to select another executive. As a result, things have come to a halt and it appears that the residents are in a holding pattern. Some Cross Creek residents are continuing to have to use the outside bathrooms and showers. The neighborhood association has reached out to the Cross Creek legal team. He added that if this goes on for another 30 days, the neighborhood association will have to ask staff for recommendations for what to do next.

Per Assistant City Attorney Patricia Link, because of Mr. Mulholland's passing, the injunction hearing to ask for repairs on the rest of the property will be reset, probably for April 26, 2017.

D. Appeals

There were no appeals before the Building and Standards Commission at this meeting.

4. DISCUSSION AND POSSIBLE ACTION

A. Proposed Local Amendments to the International Property Maintenance Code (a/k/a the City's Property Maintenance Code).

Investigator Moses Rodriguez, Austin Code Department, made a presentation to the Commission at February's meeting regarding proposed local amendments to the City's Property Maintenance Code. Investigator Rodriguez provided an overview to the Commission of what was presented last month, and he was also present to answer any questions.

City Attorney Patricia Links anticipates that the proposed changes will be placed on the City Council agenda for public hearing sometime before May. Commission Member Andrea Frieberger made a motion to recommend the proposed amendments to the property maintenance code as drafted, seconded by Vice Chair Jessica Mangrum. The motion carried unanimously on a 9-0-0 vote.

B. CodeNEXT update for the Commission.

Commission Members Andrea Freiberger and Natalya Shedden represented the BSC at a recent CodeNEXT and Land Development Advisory Group (CAG) meeting. They did not have any updates to present to the Commission. At the meeting, it was suggested that the CAG provide a brief presentation to the BSC to highlight any parts of CodeNEXT that might apply to this Commission. The Code Advisory Group is requesting feedback from all boards and commissions by May 15. Commission Members Andrea Freiberger and Natalya Shedden are to continue attending the meetings.

5. FUTURE AGENDA ITEMS

A. Annual Internal Report Working Group to provide an update to the Commission.

B. Property located at 5506 Avenue H.

C. Rewrite of the City's Land Development Code (a/k/a CodeNEXT) and Land Development Code Advisory Group's Boards and Commissions CodeNEXT Forum.

Keep on agenda as a standing item for a few months for presentation, updates from BSC Commissioners Freiberger and Shedden, and/or an official response.

D. 2015-098837, et al.; 1124 Rutland Dr., Cross Creek Apartments.

Ongoing updates are to be provided by Staff and Counsel for Cross Creek Apartments at the monthly BSC meetings.

6. ADJOURNMENT

On Commission Vice-Chair Jessica Mangrum's moved to adjourn the meeting, seconded by Commission Member Ashley Holmes. The vote passed 9-0. Chairperson Charles Cloutman adjourned the Commission Meeting at 7:20 pm.