



**BUILDING AND STANDARDS COMMISSION  
MINUTES**

**REGULAR MEETING**  
**Date: July 25, 2018**

The Building and Standards Commission (BSC) convened for a regular meeting on Wednesday, July 25, 2018 at City Hall, Boards and Commission Room, Room 1101, 301 West 2<sup>nd</sup> Street, Austin, Texas.

**Commission Members in Attendance:**

Charles Cloutman, Chair; Vice Chair Jessica Mangrum Commissioners: Melissa Orren, Wordy Thompson, Andrea Freiburger and John Green. Commissioners Natalya Sheddan and Pablo Avila were absent.

**Staff in Attendance:**

Melanie Alley, Code Review Analyst/ BSC Coordinator; Angela Means, Assistant Director; Jose Roig, Assistant Director; Robert Moore, Division Manager; Elaine Garrett, Division Manager; (DM); Franklin Fejarang, Finance Manager; Moses Rodriguez, Code Supervisor; Michael Dial; Code Supervisor Alicia Tovar, Code Investigator; John Hale, Code Investigator; Phillip Bossley, Code Inspector; Aurelio Martinez, Code Inspector; Khary Dumas, Code Inspector; Merlinda Coleman, Program Specialist; and James Candelas, Program Specialist; Brandon Carr, Assistant City Attorney.

**CALL TO ORDER**

Chair Charles Cloutman called the Commission Meeting to order at 6:38 p.m.

**CITIZEN COMMUNICATION:**

**General:**

1. No citizens signed up to speak during Citizen's Communication.

**APPROVAL OF MINUTES**

2. Vice Chair Mangrum moved to approve the minutes from the June 27, 2018 meeting, seconded by Commissioner Orren. The motion carried on a 6-0 vote. Commissioners, Sheddan, Avila, King and Freiburger were absent.

**PUBLIC HEARINGS**

**New Case(s):**

<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
3. 2018-113651	7821 N. Interstate Hy 35	BOKONON LLC

Commissioner Talley made a motion to accept the findings of fact and conclusions of law and adopt Staff's recommended order, seconded by Vice Chair Mangrum. A friendly amendment was made by Commissioner Orren to extend the timeframe for repair to 60 days. Talley accepted the friendly amendment. The amended motion carried on a 6-0 vote. Commissioner Green abstained and Commissioners Sheddan and Avila were absent.

4. 2018-0113711	9052 Galewood Drive aka La Unica	Hanksam & Sons LLC
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Commissioner Talley moved to close the public hearing, accept the findings of fact and conclusions of law and adopt staff's recommended order to for repair within 45 days and if not in compliance on the 46<sup>th</sup> day, to assess a civil penalty of \$1000 per week, seconded by Commission Freiburger. The motion carried unanimously on an 8-0 vote. Commissioners Sheddan and Avila were absent.

### Returning Case(s):

<u>Case Number</u>	<u>Street Address</u>	<u>Owner</u>
5. 2018-097036	918 Chote Avenue	Hanksam & Sons, LLC

Commissioner Freiburger made a motion to continue this case until the December meeting, seconded by Commissioner Green. Vice Chair Mangrum made a friendly amendment to the motion adding that at the December meeting the Commission would like to see that the following has occurred: 1) transfer of the property from owner to someone else who can owner-occupy it; 2) assistance funding applied for; and 3) provide an update on the status of the funding, i.e., applications for funding and whether repairs are underway pursuant to when that funding will be made available. The friendly amendment was seconded by Mr. Talley and accepted by Commissioner Freiburger. The motion carried on an 8-0 vote. Commissioners Sheddman and Avila were absent.

6. 2018-102146	3103 Evanston Lane	Louis J. Duron
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Vice Chair Mangrum admitted Exhibits 1 and 2A – 2J and closed the public hearing. Chair Cloutman made a motion to adopt the findings of fact and conclusions of law and amend the recommended order to change the timeframe for repair from 45 to 90 days, seconded by Commissioner Talley. The motion carried on an 8-0 vote. Commissioners Sheddman and Avila were absent.

7. 2014-096124	3101 Govalle Avenue	A Care Beyond Reason
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An order was entered in this case at the May hearing. No one appeared to represent the property so this case was not heard.

### Appeal Case(s):

<u>Case Number</u>	<u>Street Address</u>	<u>Owner</u>
8. 2018-100584	310 Radam Lane	Alfred J. Bogen

Staff recommended that the appeal in this case be granted on the grounds that the inspector notified the owner using the wrong violation code and stated that the notice of violation will be re-issued. The appeal was granted on an 8-0 vote. Commissioners Sheddman and Avila were absent.

9. 2018-077728	903 W. 18 <sup>th</sup> Street	Jerry Hudson Bell c/o Lindsay Redwine
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The appeal in this case was regarding Staff's suspension of the bed and breakfast license for this property. Commissioner Talley made a motion to adopt Code's recommendation to deny the appeal. The appeal was denied on a 6-2 vote. Chair Cloutman and Commissioner Thompson were in opposition. Commissioners Sheddman and Avila were absent.

## DISCUSSION AND POSSIBLE ACTION

### 10. Discussion regarding amendment to International Property Maintenance Code (IPMC), Section 304-14-Insect Screens.

Elaine Garrett and Moses Rodriguez (Austin Code Department) appeared as a follow-up to last month's presentation regarding a possible amendment to the IPMC regarding insect screens. Julianna Gonzalez from the Austin Tenants Council and Jose Roig also addressed the Commission. Commissioner Orren moved that the Commission recommend that Council adopt the IPMC amendment requiring insect screens for rental properties without air conditioning, seconded by Commissioner Green. The vote carried 7-1. Vice Chair Mangrum opposed the motion. Commissioners Sheddman and Avila were absent.

### 11. Discussion regarding the FY 2018-19 Budget process.

Following a brief update from Austin Code Financial Manager Franklin Fejarang, on a motion made by Commissioner Green, seconded by Commissioner Thompson to recommend to Council that they consider a resolution that the City Manager direct all receivables in the form of settlements, fines and fees, collected from Building and Standards Commission

orders, go into the Austin Code Department budget and remain there in addition to their budget. The motion carried on a 7-1 vote. Commissioner Freiburger voted nay. Commissioners Sheddan and Avila were absent.

**12. Review of draft BSC Annual Internal Review for July 1, 2017 to June 30, 2018.**

The Commission reviewed the submitted BSC Annual Internal Review report for July 1, 2017 to June 30, 2018.

**FUTURE AGENDA ITEMS**

No future agenda items were discussed at this meeting.

**ADJOURNMENT**

A motion was made by Commissioner Freiburger to extend the meeting for 10 minutes, seconded by Commissioner Orren. The motion failed on a vote of 5-3. A second motion was made by Commissioner Green, seconded by Commissioner Talley to extend the meeting for 5 minutes. The motion carried 8-0.

Commissioner Green made a motion to adjourn the meeting, seconded by Vice Chair Mangrum. The motion carried 8-0 and Chair Cloutman adjourned the Commission Meeting at 10:05 p.m.