



## **BUILDING AND STANDARDS COMMISSION MINUTES**

REGULAR MEETING  
Date: September 26, 2018

The Building and Standards Commission (BSC) convened for a regular meeting on Wednesday, September 26, 2018 at City Hall, Boards and Commission Room, Room 1101, 301 West 2<sup>nd</sup> Street, Austin, Texas.

### **Commission Members in Attendance:**

Chair Charles Cloutman; Vice Chair Jessica Mangrum; Commissioners: Wordy Thompson, Andrea Freiburger, Brian Talley, Natalya Sheddin, John Green and Pablo Avila. Commissioner King was absent.

### **Staff in Attendance:**

Melanie Alley, Code Review Analyst/BSC Coordinator; Jose Roig, Assistant Director; Robert Moore, Division Manager; Michael Dial, Code Supervisor; John Hale, Code Inspector; Aurelio Martinez, Code Inspector; Willis Adams, Code Inspector, David Downing, Code Inspector; Justin Brummer, Code Inspector; Marlayna Wright, Code Inspector; James Candelas, Program Specialist; Trish Link, Assistant City Attorney; Benson Thottiyil, Graphic Designer; Tamara Kurtz, Business Process Consultant; and Thayer Smith, Austin Fire Division Chief.

### **CALL TO ORDER**

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

### **APPROVAL OF MINUTES**

1. Vice Chair Mangrum moved to adopt the minutes from the August 16, 2018 meeting, seconded by Commissioner Avila. The motion carried on a 6-0 vote. Commissioners Green abstained and Commissioner King was absent.

### **CITIZEN COMMUNICATION:**

#### **General:**

2. Stuart H. Hersh requested, as the pro bono consultant for the property located at 1701 Toomey Road aka Casa de Luz, that the referenced property be placed on the December agenda in order to provide the Commission with a status update on the compliance issues at that property.
3. Maurice Minette and Mark Markanti appeared before the Commission to request that the property located at 5605 Manor Road be placed on the agenda in October as a returning action item so that they might ask for penalty relief.
4. Columbus Jaimes approached the Commission to discuss issues regarding a property he was under agreement to purchase at 3306 Montopolis.
5. Curtis Jordan appeared as a representative of the Estate of Anthony Antal Sr. regarding two duplexes located at 2524 and 2526 Glen Springs Way. The properties are now in compliance with existing BSC orders and Mr. Jordan is requesting that these properties be placed back on the agenda in October to ask that the penalties and interest accrued be waived.
6. Chair Cloutman announced that he was stepping down from his office as the Commission's Chair and that this would be his last Commission meeting. He also stated that he would like to spend his last meeting as a Commissioner and not as the Commission's Chair. He then handed the meeting over to Vice Chair Mangrum for the remainder of the meeting.

## **PUBLIC HEARINGS**

### **New Case(s):**

<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
<b>7. 2018-157626</b>	<b>2414 S. 1<sup>st</sup> Street, Unit B</b>	<b>Rosa M. Juarez &amp; Jacqueline Rodriguez</b>

Exhibits 1 and 2A-2L were admitted. Commissioner Talley made a motion to accept the findings of fact and conclusions of law and amend Staff's recommended order, seconded by Commissioner Avila, to extend the recommended time for demolition from 45 to 60 days. The amended motion carried on a 7-0 vote. Commissioner Frieburger abstained and Commissioner King was absent.

<b>8. 2018-157647</b>	<b>1421 W. Ben White Blvd.</b>	<b>Boniuk Interests, Ltd.</b>
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Chair Mangrum admitted Exhibits 1 and 2A-2L. Commissioner Talley moved to adopt the findings of fact and conclusions of law and amend Staff's recommended order to extend the recommended time for demolition from 45 to 75 days, seconded by Commissioner Frieburger. The amended motion carried unanimously on an 8-0 vote. Commissioner King was absent.

<b>9. 2018-157751</b>	<b>2056 W. Stassney Lane</b>	<b>Gordon Granger</b>
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Exhibits 1 and 2A-2L were admitted by Chair Mangrum. Commissioner Cloutman made a motion to accept the findings of fact and conclusions of law and amend Staff's recommended order extend the recommended time for demolition from 45 to 90 days and, require the property to be secured with a fence within 10 days and remain that way for the duration of the order, which was seconded by Commissioner Talley. The amended motion carried unanimously on an 8-0 vote. Commissioner King was absent.

### **Returning Case(s):**

<b>10. 2018-082079</b>	<b>11316 Jollyville Road a/k/a Canyon Creek Apts., Building 12</b>	<b>Northland Canyon Creek II LLC</b>
<b>11. 2018-082093</b>	<b>11316 Jollyville Road a/k/a Canyon Creek Apts., Building 15</b>	<b>Northland Canyon Creek II LLC</b>
<b>12. 2018-082096</b>	<b>11316 Jollyville Road a/k/a Canyon Creek Apts., Building 21</b>	<b>Northland Canyon Creek II LLC</b>
<b>13. 2018-082124</b>	<b>11316 Jollyville Road a/k/a Canyon Creek Apts., Building 28</b>	<b>Northland Canyon Creek II LLC</b>
<b>14. 2018-082142</b>	<b>11316 Jollyville Road a/k/a Canyon Creek Apts., Building 29</b>	<b>Northland Canyon Creek II LLC</b>

The above-referenced cases were all heard together by the Commission with the understanding that each referenced building was a separate case, each with its own individual order, which were issued in May 2018. Property representative, Sam Wright and attorney, Orlando Segura appeared before the Commission to ask for their consideration of reduction or forgiveness of the penalties owed. Staff had no exhibits to present.

Commissioner Cloutman made a motion to set the civil penalty to \$0 for each of the orders on the agenda for this property, which was seconded by Commissioner Frieburger. The Commission voted 7-0 in favor of the motion. Commissioners Avila and King was absent.

### **Appeal Case(s):**

<u>Case Number</u>	<u>Street Address</u>	<u>Owner</u>
<b>15. 2018-100584</b>	<b>310 Radam Lane</b>	<b>Alfred J. Bogen</b>

Commissioner Cloutman made a motion to deny the appeal, seconded by Commissioner Green. The appeal was denied on a 7-0 vote. Commissioners Avila and King was absent.

**16. 2015-123754**

**7103 Langston Drive**

**Kelly R. & Stephen L. Freeman**

Chairman Mangrum admitted Staff Exhibits 1 and 2. Commissioner Cloutman made a motion to accept the appeal, seconded by Commissioner seconded by Commissioner Talley. The motion carried unanimously on a 7-0 vote. Commissioners Avila and King was absent.

#### **FUTURE AGENDA ITEMS**

**17. 1701 Toomey Road aka Casa de Luz** – This case is to be placed on the December agenda with Stuart Hersh appearing to provide a case update.

**18. 5605 Manor Road** – This case is to be scheduled as a returning case on the October agenda for the owner to ask for penalty relief.

**19. 2524 and 2526 Glen Springs Way** – This property is to be placed on the October agenda as a returning case for the owner's estate representative to ask for penalty relief.

#### **ADJOURNMENT**

Commissioner Thompson made a motion to adjourn the meeting, seconded by Vice Chair Mangrum. The motion carried 7-0 and Chair Cloutman adjourned the Commission Meeting at 8:47 p.m.