



**BUILDING AND STANDARDS COMMISSION
MINUTES**

REGULAR MEETING
Date: December 12, 2018

The Building and Standards Commission (BSC) convened for a regular meeting on Wednesday, December 12, 2018 at City Hall, Boards and Commission Room, Room 1101, 301 West 2nd Street, Austin, Texas.

Commission Members in Attendance:

Vice Chair Jessica Mangrum; Commissioners: Wordy Thompson, Andrea Freiburger, Brian Talley, Natalya Sheddan, John Green Pablo Avila; Michael King and Timothy Stostad

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Angela Means, Assistant Director; Jose Roig, Assistant Director; Robert Moore, Division Manager; Daniel Word, Division Manager; John Christophe, Code Supervisor; Moses Rodriguez, Code Supervisor; John Hale, Code Investigator; Alicia Tovar Code Investigator; Marlayna Wright, Code Investigator; Erica Thompson, Code Inspector; Farah Presley, Code Inspector; James Candelas, Program Specialist; Brandon Carr, Assistant City Attorney; and Derek Mobley, Video Production Specialist

CALL TO ORDER

Vice Chair Jessica Mangrum called the Commission Meeting to order at 5:39 p.m.

APPROVAL OF MINUTES

1. Commissioner King moved to adopt the minutes from the September 26, 2018 meeting, seconded by Commissioner Stostad. The motion carried on a 7-0 vote. Commissioners Talley and Green were absent.

CITIZEN COMMUNICATION:

General:

No citizens appeared at the meeting for Citizen's Communication.

PUBLIC HEARINGS

New Case(s):

<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
2. 2018-157672	10507 O'Rourke Street	Alexander Lewit

Staff Exhibits 1 and 2A-2K, and Homeowner's Exhibit 3, which are bids for the roof, were admitted by Vice Chair Mangrum. Commissioner Freiburger made a motion to accept the findings of fact and conclusions of law and amend Staff's recommended order, seconded by Commissioners Green and Stostad, to extend the recommended time for repair from 45 to 90 days, with penalties of \$250 per week to begin accruing on the 91st day. A friendly amendment was made by Commissioner Talley to extend the timeframe from 45 to 60 days, which Commissioner Freiburger accepted and both seconds agreed. The amended motion failed on a 5-3-1 vote. Commissioners Sheddan, Avila and Thompson vote nay and Commissioner King abstained. Commission Talley made a motion to adopt Staff's proposed findings of fact and conclusions of law and recommended order with no changes, seconded by Commissioner Freiburger. The motion carried on a 9-0 vote.

3. 2018-177064 3300 Stardust Drive Betty Ann Robinson

Vice Chair Mangrum admitted Exhibits 1 and 2A-2M. Commissioner King moved to adopt the findings of fact and conclusions of law and adopt Staff's recommended order, seconded by Commissioner Stostad. Commissioner Sheddan made a substitute motion to continue the case until the January 2019 meeting, along with a strong recommendation that the rodent problem be taken care of before the January hearing, seconded by Commissioner Avila. The motion carried on a 7-0 vote. Commissioner Green abstained.

4. 2018-177071 5404 Brompton Circle John Phillip Judah

Staff Exhibits 1 and 2A-2F, and Homeowners Exhibit 3 were admitted by Vice Chair Mangrum. Commissioner Talley made a motion to adopt Staff's recommended order and amend the timeframe from 45 to 90 days, and the penalty amount be reduced from \$210 per week to \$140 per week due to one of the violations being cleared, seconded by Commissioner Avila. The motion carried on an 8-0 vote. Commissioner King was off dais.

Returning Case(s):

5. 2018-097036 918 Chote Avenue Guadalupe Allison Cortez

Vice Chair Mangrum admitted Exhibits 1 and 2A-2H. Commissioner Sheddan moved to adopt the findings of fact and conclusions of law and amend Staff's recommended order to extend the recommended time for repair from 45 to 60 days, seconded by Commissioner Freiburger, with penalties of \$210 per week to begin to accrue on the 61st day. The amended motion carried unanimously on an 8-0 vote. Commissioners Talley was absent.

6. 2018-063927 5605 Manor Road Mahesh & Aparna Markanti

Vice Chair admitted Property Owner Exhibits 3, 4, & 5 relating to repairs were admitted into evidence. Commissioner Freiburger made a motion to modify the existing fines owed by modifying the fines from \$2100 to \$0, seconded by Commissioner Sheddan. The vote carried unanimously on a 9-0 vote.

**7. 2017-041351 2407 Mission Hill Drive Bernard Realty
(Exterior, Roof & Unit 101)**

**8. 2017-067551 2407 Mission Hill Drive Bernard Realty
(Exterior; Units 103 & 104)**

The two above-referenced cases located were heard simultaneously as they both pertain to the same property address. Homeowners' Exhibits 3 and 4 were admitted into evidence. Commissioner Talley made a motion, seconded by Commissioner Freiburger, to reduce the penalties accrued in case CL 2017-041351, by \$50,000, and the penalties accrued per CL, 2017-067551, would remain in place. The motion carried 6-2. Commissioners Thompson and Green opposed. Commissioner Avila was off dais.

**9. 20182-069447 1701 Toomey Road aka Casa Shambala Corporation
de Luz**

This case appeared at the request of Stuart Hersh, as representative of the property. Exhibit 1 (a single page of questions) and Exhibit 2 (a large collection of documents within a file folder) were admitted into evidence. Mr. Hersh provided an update to the Commission and no action was taken.

Appeal Case(s):

<u>Case Number</u>	<u>Street Address</u>	<u>Owner/ Appellant</u>
10. 2018-166162	8100 Briarwood Lane	Area Two Residential LLC/ Rick Culleton

Commissioner Andrea Freiburger made a motion to deny the appeal of the notice of violation for this property, seconded by Commissioner Sheddan. The appeal was denied on an 8-0 vote. Commissioner Avila was off dais.

DISCUSSION AND POSSIBLE ACTION

11. Approval of the 2019 regular meeting schedule.

Commissioner King moved to adopt the proposed regular meeting schedule for 2019, seconded by Commissioner Stostad. The motion carried on an 8-0 vote. Commissioner Avila was off dais.

12. Discussion and possible action regarding emergency officer elections.

The topic was discussed and the Commission held elections for an Interim Chair and Vice Chair to hold offices until annual elections are held at the April meeting. On Commissioner Talley's motion, seconded by Commissioner King, the Commission voted 8-0 for Vice Chair Jessica Mangrum to sit as Chair and Commissioner Andrea Freiburger to sit as Vice Chair. Commissioner Avila was off dais.

FUTURE AGENDA ITEMS

13. Returning case – 3300 Stardust Drive.

3300 Stardust Drive was continued and is to be placed on the January 23, 2019 agenda as a returning case and set for possible action.

ADJOURNMENT

Vice Chair Mangrum adjourned the meeting at 9:11p.m.