



BUILDING AND STANDARDS COMMISSION MINUTES

REGULAR MEETING
Date: March 27, 2019

The Building and Standards Commission (BSC) convened for a regular meeting on Wednesday, March 27, 2019 at City Hall, Boards and Commission Room, Room 1101, 301 West 2nd Street, Austin, Texas.

Commission Members in Attendance:

Jessica Mangrum, Chair; Andrea Freiburger, Vice Chair; Commissioners: Wordy Thompson; Pablo Avila; Timothy Stostad; and Natalya Sheddian; Ex Officio Commissioner: Chief Tom Vocke, Fire Marshall; Commissioners John Green and Michael King were absent.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Division Manager; Kecia Lara, Code Supervisor; Matt Noriega, Code Supervisor; Alicia Tovar Code Investigator; Code Inspectors: Khary Dumas, James Jardine and Lauren Taggart; James Candelas, Program Specialist; Patricia Link, Assistant City Attorney; and Derek Mobley, Video Production Specialist; Austin Code Academy Members: Daniel Word, Division Manager; Inspectors: Kendrick Barnett, David Espinoza, William Evans, Eric Gardner, Louis Gonzales, and Sandy Van Cleve.

CALL TO ORDER

Chair Jessica Mangrum called the Commission Meeting to order at 6:34 p.m.

APPROVAL OF MINUTES

1. Vice Chair Freiburger moved to approve the minutes from the February 27, 2019 meeting, seconded by Commissioner Thompson. The motion carried on a 6-0 vote. Commissioners John Green and Michael King were absent.

CITIZEN COMMUNICATION:

General:

2. Condo Owner Kevin McDonald appeared before the Commission regarding the property located at 4801 S. Congress Avenue, aka Bel Air Condominiums. He requested that the cases regarding this property return to the BSC at their next meeting for updates. A decision was deferred until the end of the meeting at which time the chair agreed to place the item on the agenda for updates and possible action, which was at the request of Vice Chair Freiburger.

PUBLIC HEARINGS

New Case(s):

<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
3. 2019-020840	2515 E. 2nd Street	Sylvia Garcia Salinas

The property owner, Ms. Salinas, did not appear for the hearing. Staff Exhibits 1 and 2A-2H were admitted into evidence by Chair Mangrum. Commissioner. Commissioner Avila moved to close the public hearing and continue the case until next the April meeting, seconded by Commissioner Stostad. The motion carried on a 6-0 vote.

Ms. Salinas arrived after her hearing was over, however, the chair re-opened the public hearing to allow Ms. Salinas to testify. After hearing her testimony, the Commission agreed that their decision would remain in place and the case would be re-heard at the April meeting.

- | <u>Case Number</u> | <u>Street Address</u> | <u>Owner(s)</u> |
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| 4. 2019-035856 | 12100 Mustang Chase | Stanley G. Adams |
| <p>Staff Exhibits 1 and 2A-2I were admitted by Chair Mangrum. Commissioner Freiburger moved adopt Staff's recommended order and modify the motion by increasing the penalties from \$250 to \$1000 per week. There was no second and the motion failed.</p> <p>Commissioner Stostad made a second motion, seconded by Commissioner Freiburger to adopt Staff's recommended order and modify the motion by increasing the penalties from \$250 to \$500 per week. The motion failed on a 5-1 vote, with Commissioner Avila voting nay.</p> <p>An alternative motion was made by Commissioner Avila, who moved to adopt the findings, conclusions of law and recommended order, seconded by Commissioner Sheddin. The motion carried on a 6-0 vote. Commissioners Green and King were absent.</p> | | |
| 5. 2019-035886 | 2300 Gaines Mill Cove | R. Patrick & Georgina T. Loesch |
| <p>Staff Exhibits 1 and 2A-2E were admitted by Chair Mangrum. Vice Chair Freiburger moved to close the public hearing and adopt staff's recommended order with one amendment, i.e., to extend the timeframe for compliance from 45 to 90 days, seconded by Mr. Avila. The motion failed on a 5-1 vote. Commissioner Thompson opposed the motion. Commissioners John Green and Michael King were absent.</p> <p>Commissioner Stostad moved to continue the hearing 30 days, seconded by Commissioner Thompson. The motion failed on a 5-1 vote. Commission Sheddin made the dissenting vote. Commissioners John Green and Michael King were absent.</p> <p>A third motion was made by Vice Chair Freiburger, seconded by Commissioner Thompson, to continue the case for 2 months, to be re-heard at the May meeting. The motion carried on a 6-0 vote. Commissioners John Green and Michael King were absent.</p> | | |
| 6. 2019-038275 | 1809 Keilbar Lane | William Henry Stephenson |
| <p>Staff Exhibits 1 and 2A-2F were admitted by Chair Mangrum. Commissioner Freiburger moved to adopt Staff's Findings of fact and Conclusions of Law and require the owner to: 1) provide an engineer's report and submit to the Code Officials within 20 days; and 2) return to the Commission at the April meeting to address the remainder of the action items. The motion was seconded by Commissioner Stostad. The motion carried on a 6-0 vote. Commissioners John Green and Michael King were absent.</p> | | |
| 7. 2019-001510 | 8404 Garcreek Circle, Exterior | Phillip Rasy and Jennifer Rasy |
| 8. 2019-001497 | 8404 Garcreek Circle, Unit A | Phillip Rasy and Jennifer Rasy |
| 9. 2019-001503 | 8404 Garcreek Circle, Unit B | Phillip Rasy and Jennifer Rasy |

Items 7-9 above are all regarding the same property, therefore, the 3 cases were heard together by the Commission with the understanding that there were three separate cases, each with its own order. Separate orders were subsequently issued in each of the respective cases. Chair Mangrum admitted Exhibits 1 and 2A-2H regarding CL 2019-001510 (Exterior); Exhibits 3 and 4A-4J regarding CL 2019-001497 (Unit A); Exhibits 5 and 6A-6C regarding CL 2019-001503.

Commissioner Freiburger moved to accept Staff's proposed findings of fact and conclusions of law in each of the three cases and adopt Staff's recommended order, seconded by Commissioner Thompson, with the following modifications: 1) increase the timeframe from 45 to 90 days; 2) and increase the penalties from \$1000 to \$2000 per week and return to the Commission at the July meeting. The motion carried on a 6-0 vote. Commissioners John Green and Michael King were absent.

Returning Case(s):

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| 10. 2018-113711 | Galewood Drive aka La Unica | Hanksam & Sons LLC |
| <p>Property representatives' Sharif Momin and Hasan Maredia appeared before the Commission to ask for their consideration of full forgiveness of the penalties owed. Staff provided a summary of the case. The Chair admitted Property Owners' Exhibits 3, 4, 5 and 6. Commissioner Avila moved to forgive the full amount of the penalties owed, reducing the penalties to \$0, seconded by Commissioner Thompson. The motion carried on a 6-0 vote. Commissioners John Green and Michael King were absent.</p> | | |

FUTURE AGENDA ITEMS

11. Annual Election of Commission Officers in April
12. Discussion and possible action regarding budget recommendations to Council.
13. Update and possible action regarding 4801 S. Congress Avenue a/k/a Bel Air Apartments
14. 2515 E. 2nd Street continued until April as a returning case.
15. 2300 Gaines Mill Cove continued until the May meeting as a returning case.
16. 1809 Keilbar Lane continued until the April meeting as a returning case.
17. 8404 Garcreek Circle (Exterior, Unit A and Unit B) to return at the July meeting for updates and possible action.

ADJOURNMENT

Chair Jessica Mangrum adjourned the meeting at 9:51 p.m.