



BUILDING AND STANDARDS COMMISSION MINUTES

REGULAR MEETING
Date: June 26, 2019

The Building and Standards Commission (BSC) convened for a regular meeting on Wednesday, June 26, 2019 at City Hall, Boards and Commission Room, Room 1101, 301 West 2nd Street, Austin, Texas.

Commission Members in Attendance:

Jessica Mangrum, Chair; Commissioners: Natalya Sheddan, Wordy Thompson, Timothy Stostad, Pablo Avila, James Briceno, Edgar Farrera and Ex Officio Tom Vocke, Fire Marshall. Vice Chair Freiburger and Commissioners Green and Ogunbode were absent.

CITIZEN COMMUNICATION:

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Marlayna Wright, Investigator/ Presenter; Robert Moore, Division Manager; Farah Presley, Inspector; James Candelas, Program Specialist; Elaine Garrett, Division Manager; Robert Alvarado, Supervisor; Kecia Lara, Supervisor; Moses Rodriguez, Supervisor; John Hale, Investigator; Joseph Lucas, Inspector; Rowdy Salazar, Inspector; Michael Marquez, Inspector; Eliza Torres, Inspector; Tamara Kurtz, Business Process Consultant; Alex Shahidi, Business Process Consultant; Derek Mobley, Video Production Specialist and Brandon Carr, Assistant City Attorney.

CALL TO ORDER

Chair Jessica Mangrum called the Commission Meeting to order at 6:31 p.m.

APPROVAL OF MINUTES

1. Commissioner Avila moved to approve the minutes from the May 24, 2019 meeting, seconded by Commissioner Sheddan. The motion carried on a 7-0 vote. Vice Chair Freiburger and Commissioners Green and Ogunbode were absent.

CITIZEN COMMUNICATION:

2. **2017-111459; 5803 Sweeney Circle, Unit D**
Executive Director Christ Noland appeared before the Commission to request that this case return in July regarding penalty relief from the Amended BSC Order.
3. **2018-157672; 10507 O'Rourke Lane**
Owner Alex Lewit appeared before the Commission to request that this case return in July regarding penalty relief.

PUBLIC HEARINGS

New Case(s):

<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
4. CL 2019-088180	8573 Red Willow Drive	Robert V. Armstrong and Joy Panian Armstrong

Property owner Joy Panian Armstrong and her daughter Katherine Armstrong Nelson appeared to represent the property. Staff Exhibit 1, and photos marked as Exhibits 2A-2J, were admitted into evidence. Homeowners Exhibits 1 and 2, which were contractors' quotes, and Exhibit 3, a real estate sales contract for the property, were also admitted.

Commissioner Avila moved to close the public hearing, accept the findings of fact and conclusions of law for this property and, to change the recommended order from 45 to 120 days. The motion was not seconded. Commissioner Sheddan made

an alternative motion to continue the case for 60 days, seconded by Commissioner Avila. The motion carried on a 7-0 vote. Vice Chair Freiburger and Commissioners Green and Ogunbode were absent.

<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
5. CL 2019-088182	2303 Bendridge Trail	Maria De La Luz Rocha

The property was represented by the homeowner's son Juan Armstrong and attorney Mark McLean. Chair Mangrum admitted Staff Exhibits 1 and 2A-2J, as well as Property Owner's Exhibits 1 and 2. Commissioner Sheddan moved to continue the case until the September meeting, seconded by Commissioner Avila. The motion carried on a 7-0 vote. Vice Chair Freiburger and Commissioners Green and Ogunbode were absent.

6. CL 2019-088172	2119 S. Lamar Blvd.	3423 Holdings LLC
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The property was represented by attorney Patrick Tighe on behalf of the owner. Chair Mangrum admitted Staff Exhibits 1 and 2A-2M.

Commissioner Avila moved to continue the case to the July meeting, which was not seconded.

Commissioner Stostad then moved to table Mr. Avila's motion, close the public hearing, accept the findings of fact and conclusions of law for this property and adopt the recommended order, seconded by Commissioner Thompson. The motion failed on a 4-2 vote. The dissenting votes were cast by Commissioners Sheddan and Avila. Vice Chair Freiburger and Commissioners Green and Ogunbode were absent. Commissioner Ferrara was off dais.

Commissioner Avila then moved again to bring the case back at the July meeting. Commissioner Avila's original motion was brought to table, seconded by Commissioner Sheddan. The motion carried 6-0. Vice Chair Freiburger and Commissioners Green and Ogunbode were absent. Commissioner Ferrara was off dais.

Returning Case(s)

7. CL 2015-004473	5609 Cougar Drive	OTH Fund 1 LP
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This case was represented at the hearing by owner/partner of OTH Fund 1 LP, William Gottfried and Austin Code Investigator John Hale regarding penalty relief. Owners' Exhibit 1 was admitted by the Chair into evidence, which consisted of a summary and photographs of work done at the property including a timeline.

After much deliberation, Commissioner Avila made a motion to continue the case to the July meeting, seconded by Commissioner Sheddan. The motion failed on a 5-0-1 vote. Commissioner Thompson abstained, and the motion failed. Vice Chair Freiburger and Commissioners Green and Ogunbode were absent. Commissioner Ferrara was off dais.

Commissioners Sheddan and Stostad then directed that the case be brought back at the July meeting and that the owner provide the required documentation at that time for consideration of penalty relief.

8. CL 2018-097125	7706 Copperas	Pintail Resources, LLC
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This case was represented at the hearing by owner/partner of Pintail Resources, LLC, David Sajovich, and Austin Code Investigator Marlayna regarding penalty relief. Property Owner's Exhibits 1 and 2 were admitted into evidence. Commissioner Sheddan made a motion to close the public hearing and reduce the fines accrued per the BSC Order to \$0, seconded by Commissioner Avila. The vote carried unanimously on a 6-0 vote. Vice Chair Freiburger and Commissioners Green and Ogunbode were absent. Commissioner Ferrara was off dais.

Appeal(s):

9. CL 2019-088101	1005 W. Johanna Street	Ian Gareth Jones
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This appeal was withdrawn by the owner the day prior to the meeting and was not heard by the Commission.

Update Case(s):

10. CL 2015-019417, et al.;	4801 S. Congress Avenue, aka Bel Air Condominiums	Bel Air Condominiums Community, Inc., and Unit Owners of Buildings A-H, J-L, N, and P-T.
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John Stokes, Bel Air Condominium Community Board Member and Leslie Chappell with Reconstruction Experts, along with John Hale on behalf of Staff, appeared before the Commission to provide an update.

DISCUSSION AND POSSIBLE ACTION ITEMS

11. Review and discuss draft Annual Internal Review Report for July 1, 2018 - June 30, 2019.

The Commission reviewed the draft Annual Internal Review report and agreed that Staff could make the final revisions to the report and submit with Chair Mangrum's approval and signature.

FUTURE AGENDA ITEMS

- 12. CL 2017-111459/ 5803 Sweeney Circle, Unit D,** is to return in July regarding penalty relief
- 13. CL 2018-157672/ 10507 O'Rourke Lane,** is to return in July regarding penalty relief
- 14. CL 2015-004473/ 5609 Cougar Drive** is to return in July regarding penalty relief
- 15. CL 2019-088172/ 2119 South Lamar Blvd.** is to come back in July as a returning case and be set for action
- 16. CL 2019-088180/ 8573 Red Willow Drive,** is to come back in August as a returning case and be set for action
- 17. CL 2019-088182 / 2303 Bendridge Trail** is to come back in September as a returning case and be set for action.
- 18.** Discussion and planning regarding Building and Standards Commission retreat.

ADJOURNMENT

Chair Jessica Mangrum adjourned the meeting at 8:39 p.m.