



BUILDING AND STANDARDS COMMISSION MINUTES

REGULAR MEETING
Date: July 24, 2019

The Building and Standards Commission (BSC) convened for a regular meeting on Wednesday, July 24, 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, Timothy Stostad, John Green, Sade Ogunbode, James Briceno, Edgar Farrera and Ex Officio Tom Vocke, Fire Marshall. Commissioners Natalya Sheddin and Pablo Avila were absent.

CITIZEN COMMUNICATION:

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Marlayna Wright, Investigator; Robert Moore, Division Manager; Farah Presley, Inspector; James Candelas, Program Specialist; Jose Roig, Assistant Director; Daniel Word, Division Manager; Matthew Noriega, Supervisor; Justin Brummer, Investigator; Jason Ortiz, Inspector; Rowdy Salazar, Inspector; Michael Marquez, and Trish Link, 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 Stostad moved to approve the minutes from the June 26, 2019 meeting, seconded by Commissioner Ogunbode. The motion carried on a 6-0 vote. Commissioners Sheddin and Avila were absent. Commissioners Briceno and Green were off dais.

CITIZEN COMMUNICATION:

2. **CL 2019-055563; CL 2019-051040 and CL 2019-055576; 5207 Woodland Oaks Court – Exterior, and Units A & B** Property Owner Sabiha Shamsi appeared before the Commission, stating that her property is now in compliance with the BSC orders issued at the April 24, 2019 meeting and requested that the property be placed back on next month's agenda for penalty relief.

PUBLIC HEARINGS

New Case(s):

	<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
3.	CL 2019-144381	1124 Rutland Drive aka Creeks Edge Apartments Building 10 - Exterior	CSC North Austin Realty LLC
4.	CL 2019-144850	1124 Rutland Drive aka Creeks Edge Apartments Building 12, Unit 101 (Interior)	CSC North Austin Realty LLC

5.	CL 2019-144426	1124 Rutland Drive aka Creeks Edge Apartments Building 12, Unit 102 (Exterior)	CSC North Austin Realty LLC
6.	CL 2019-144429	1124 Rutland Drive aka Creeks Edge Apartments Building 13 - Exterior	CSC North Austin Realty LLC
7.	CL 2019-144432	1124 Rutland Drive aka Creeks Edge Apartments Building 15 – Exterior	CSC North Austin Realty LLC
8.	CL 2019-144397	1124 Rutland Drive aka Creeks Edge Apartments Building 16 - Exterior	CSC North Austin Realty LLC
9.	CL 2019-144439	1124 Rutland Drive aka Creeks Edge Apartments Building 15 - Exterior	CSC North Austin Realty LLC
10.	CL 2019-144445	1124 Rutland Drive aka Creeks Edge Apartments Building 16 - Exterior	CSC North Austin Realty LLC

The owner was represented at the hearing by the Director of Operations for CSC Management, Tyler Hallenbach. Chair Mangrum admitted Exhibits 1 and 2A-2G; 3 and 4A-4L; 5 and 6A-6E; 7 and 8A-8H; 9 and 10A-10-D; 11 and 12A-12-E; 13 and 14A-14-D; 15 and 16A-16-G.

Commissioner Stostad moved to close the public hearing, adopt the findings of fact and conclusions of law in each of the 8 cases, and amend each of the recommendations to order that the property manager may not impose fees, fines or other penalties on any residents until full compliance has been achieved, seconded by Commissioner Green. Commissioner Stostad withdrew this motion as stated and restated his motion, seconded by Commissioner Green, to adopt the recommended orders and require that the property owner or owner's representative return in August and provide an update (without action) to the Commission. The vote carried 8-0. Commissioners Sheddan and Avila were absent.

Returning Case(s)

	<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
11.	CL 2019-088172	2119 S. Lamar Blvd.	3423 Holdings LLC
No one appeared to represent the owner at the hearing. Chair Mangrum admitted Staff Exhibits 1, 2A-2M, 3 and 4A-4L. On Commissioner Green's motion, seconded by Commissioner Stostad, the Commission voted 8-0 to accept Staff's findings of fact, conclusions of law, and adopt the recommended order. The motion carried 8-0. Commissioners Sheddan and Avila were absent.			
12.	CL 2017-111459	5803 Sweeney Circle, Unit D	Community Partnership for the Homeless, Inc. aka Green Doors
Chair Mangrum admitted Owner's Exhibit 1, which contains the chronology as well as the documentation of the construction. Executive Director Christa Noland appeared to represent the property. On Vice Chair Freiburger's motion, seconded by Commissioner Green, the Commission voted 8-0 to reduce the penalties accrued from \$8428.57 to \$0. Commissioners Sheddan and Avila were absent.			
13.	CL 2018-157672	10507 O'Rourke Lane	Alexander Lewit
Owner Alexander Lewit appeared before the Commission to represent his property located at 10507 O'Rourke Lane. Chair Mangrum admitted Property Owner's Exhibits 1 and 2, which consist of the proposal and project manager's signature for work performed. Commissioner Ogunbode moved to reduce the penalties from \$4,260.47 to \$0, seconded by Vice Chair Freiburger. The motion carried on an 8-0 vote. Commissioners Sheddan and Avila were absent.			
14.	CL 2015-004473	5609 Cougar Drive	OTH Fund 1 LP

This case was represented at the hearing by owner/partner of OTH Fund 1 LP, William Gottfried, Austin Code Inspector Farah Presley and Austin Code Investigator Justin Brummer regarding penalty relief. Chair Mangrum admitted Owner's

Exhibits 1-8, which are the expenditures on the property. Commissioner Farerra moved to reduce the penalties from \$214,428.57 to \$35,000, seconded by Vice Chair Freiburger and Commissioner Ogunbode. The motion carried unanimously

Update Case(s):

- | | | |
|---------------------------|--|---------------------------------------|
| 15. CL 2018-003479 | 8707 Garcreek Circle - Exterior | Phillip Racy and Jennifer Rasy |
| 16. CL 2018-007771 | 8707 Garcreek Circle – Unit A | Phillip Racy and Jennifer Rasy |
| 17. CL 2018-007778 | 8707 Garcreek Circle – Unit B | Phillip Racy and Jennifer Rasy |

These cases returned to the Building and Standards Commission for updates. The property was represented at the hearing by owner’s representative, John Valenti, and Austin Code Inspector Jason Ortiz. It was reported at the hearing that the repairs are near completion however, the compliance timeframe has passed and until compliance is confirmed, penalties will continue to accrue.

DISCUSSION AND POSSIBLE ACTION ITEMS

18. Discussion and planning regarding Building and Standards Commission Retreat

The Commission selected to hold a retreat at the Austin Code Department offices in November from approximately 9 am to 1:00 pm. Two dates were selected with November 6 (pending confirmation) and November 13 as back-up.

FUTURE AGENDA ITEMS

- 19. CL 2019-088180/ 8573 Red Willow Drive** – Case is to come back in August as a returning case and be set for action
- 20. CL 2019-055563; CL 2019-051040 and CL 2019-055576 / 5207 Woodland Oaks Court – Exterior, and Units A & B** – Cases are returning in August regarding penalty relief.
- 21. CL 2019-088182 / 2303 Bendridge Trail** - Case is to come back in September as a returning case and be set for action.

ADJOURNMENT

Chair Jessica Mangrum adjourned the meeting at 9:19 p.m.