



BUILDING AND STANDARDS COMMISSION MINUTES

REGULAR MEETING
Date: September 30, 2019

The Building and Standards Commission (BSC) convened for a regular meeting on Monday, September 30, 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: Natalya Sheddin, Wordy Thompson, Timothy Stostad, Sade Ogunbode, James Briceno, Pablo Avila and Ex Officio Tom Vocke, Fire Marshall. Commissioners Edgar Farrera and John Green and were absent.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Division Manager; Marlayna Wright, Investigator; Farah Presley, Inspector; James Candelas, Program Specialist; Jose Roig, Assistant Director; Daniel Word, Division Manager; Moses Rodriguez, Code Supervisor; Justin Brummer, Investigator; John Hale, Investigator; Michael Marquez, Investigator; David Espinoza, Inspector; Willis Adams, Inspector; Michelle Stark, Inspector, Khary Dumas, Inspector; Dawn Starke, Department Executive Assistant and Brandon Carr, Assistant City Attorney.

CALL TO ORDER

Chair Jessica Mangrum called the Commission Meeting to order at 6:30 p.m.

APPROVAL OF MINUTES

1. Commissioner Ogunbode moved to approve the minutes from the August 29, 2019 meeting, seconded by Vice Chair Freiburger. The motion carried on a 7-0 vote. Commissioner Stostad was of dais. Commissioners Farrera and Green were absent.

CITIZEN COMMUNICATION:

2. Gabbie Garcia, BASTA Representative, appeared on behalf of the residents at 1124 Rutland Drive, aka Creeks Edge Apartments to hear the staff briefing and provide an update to the Commission regarding current conditions at the property.
3. John Valenti, the owner representative for Phillip Rasy, owner of the property located at 8404 Garcreek Circle, requested that CL 2019-001510, CL 2019-001497 and CL 2019-001503, relating to 8404 Garcreek Circle – Exterior, Unit A & Unit B, be placed on the October meeting agenda regarding penalty relief.
4. Attorney Travis Brown appeared before the Commission on behalf of Palgol, LLC to request that the property located at 3500 Greystone, aka Juniper Springs Apartments, (CL 2016-066235) be placed on the October agenda regarding penalty relief.

PUBLIC HEARINGS

New Case(s):

	<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
4.	CL 2019-182477 CL 2019-182566	7929 Gault Street aka Plaza Del Norte Building Exterior; Guardrails and Handrails;	Thuan Cam Luong

CL 2019-182596	Exterior of Units 101, 103, 107, 201, 204, 205,
CL 2019-182814	206 and 207; and Interior/Exterior of Unit 109
CL 2019-182846	
CL 2019-182836	
CL 2019-182859	
CL 2019-182955	
CL 2019-182961	
CL 2019-182970	
CL 2019-183170	

The property was represented at the hearing by the owner Thuan Luong. Chair Mangrum admitted Staff Exhibits 1, 3, 5, 7, 9, 11, 13, 15, and 17, and 2A-2N, 4A-4H, 6A-6B, 8A-8B, 10A-10C, 12A-12B, 14A-14B, 16A-16C and 18A-18L. Vice Chair Freiburger moved to adopt the findings of fact and conclusions of law and adopt the recommended orders for each case, seconded by Commissioner Ogunbode. The motion carried on a 6-2 vote. Commissioners Thompson and Sheddman voted nay. Commissioners Green and Farrera were absent.

5. CL 2019-180461 916 Congress Avenue aka MVA-916, LLC
Jacob Lamour Block, Bldg. F

The property was represented by owner/representative Eric Tyler. Chair Mangrum admitted Staff Exhibits 1 and 2A -2G. Commissioner Sheddman moved to close the public hearing and adopt Staff's recommended alternative order, i.e., for the owner to provide a comprehensive engineer's report to the Commission's Coordinator within 90 days, and if Austin Code is not satisfied with the results of the report, they would have the option to bring the case back to the Commission. The motion was seconded by Vice Chair Freiburger. The motion carried unanimously on an 8-0 vote. Commissioners Farrera and Green were absent.

6. CL 2019-183161 1108 E. 53rd Street aka 1040 E. 53rd Street 4352 S IH-35 LLC

The property was represented at the hearing by Nick Tarantino and Luis Blanc, the owner's agents. The Chair admitted Staff Exhibits 1 and 2A-2L. Vice Chair Freiburger moved to adopt the findings of fact and conclusions of law and the recommended order, seconded by Commission Briceno. The motion carried 8-0. Commissioners Farrera and Green were absent.

Returning Case(s)

7. CL 2019-088182 2303 Bendridge Trail Maria De La Luz Rocha

This case was continued from the June hearing. Attorney Mark McLean appeared to represent the property owners. Chair Mangrum admitted Staff Exhibits 3 and 4A-4F. Commissioner Ogunbode moved to close the public hearing, adopt the proposed findings of fact and conclusions of law and adopt the recommended order with a modification to extend the compliance time frame from 90 to 120 days, seconded by Vice Chair Freiburger. The motion on the table was withdrawn. Commissioner Sheddman offered a substitute motion to continue the case until the December meeting, seconded by Commissioner Briceno. The substitute motion carried on a 6-0 vote. Commissioner Stostad recused himself, and Commissioner Avila was off dais. Commissioners Farrera and Green were absent.

8. CL 2019-163313 801 Highland Avenue aka Blondie Pharr House Trevor Scott Dallas

This case was continued from the August agenda. Property owner Trevor Scott Dallas appeared before the Commission to represent the property. Chair Mangrum admitted Staff Exhibits 3 and 4A-4H into evidence. Commissioner Sheddman made a motion to adopt Staff's proposed motion, seconded by Vice Chair Freiburger. Commissioner Ogunbode moved to close the public hearing, seconded by Commissioner Briceno. The motion carried on a 7-0 vote. Commissioner Avila was off dais. Commissioners Farrera and Green were absent.

9. CL 2019-166776 1204 E. St. Johns Avenue Nathaniel Aniekwu

The owner Nathaniel Aniekwu and his son Patrick Aniekwu appeared at the hearing to represent the property. Chair Mangrum admitted Staff Exhibits 3 and 4A-4D and Owner's Exhibit 1 into evidence. Vice Chair Freiburger moved to adopt Staff's recommended order and modify the timeframe from 90 to 150 days, which she based on the estimated length of time required to make the repairs and obtain additional bids for foundation work. The motion was seconded by Commissioner Ogunbode and failed on a 5-2 vote. Commissioner Sheddman made a motion to continue the hearing until the December

meeting, seconded by Commissioner Thompson. The Commission also requested that the owner come prepared with a definite plan of action, timeframe and schedule. Commissioner Ogunbode moved to close the public hearing, which was seconded by Commissioner Briceno. The motion carried on a 6-1 vote. Chair Mangrum voted nay, and Commissioner Avila was off dais. Commissioners Farerra and Green were absent.

Staff Briefing:

- | | |
|--|--|
| 10. CL 2019-144381
CL 2019-144850
CL 2019-144426
CL 2019-144429
CL 2019-144432
CL 2019-144397
CL 2019-144439
CL 2019-144445 | 1124 Rutland Drive aka Creeks Edge Apartments CSC North Austin Realty LLC
Exterior of Buildings 10, 13, 15, 16, 17 & 18;
Interior of Building 12, Units 101 & 102 |
|--|--|

In a staff briefing regarding the above-referenced cases, located at 1124 Rutland Drive, aka Creeks Edge Apartments, Austin Code Investigator Justin Brummer provided an update and presented photos of the progress being made since orders were issued in July 2019.

FUTURE AGENDA ITEMS

- 11. 8573 Red Willow Drive/ CL 2019-088180** is to be placed on the October agenda as a returning case. This case was continued from the June 26, 2019 hearing to allow the homeowner additional time for clarification of ownership before issuing an order.
- 12. Phillip Rasy and Jennifer Rasy/ 8404 Garcreek Circle, Exterior and Units A & B / CL 2019-001510; CL 2019-001497 and CL2019-001503.** This property is to be placed on the October 23, 2019 agenda as a returning case regarding penalty relief.
- 13. Palgol LLC/ 3500 Greystone Drive, Building 5 / CL 2019-066235.** This property is to be placed on the October 23, 2019 agenda as a returning case regarding penalty relief.
- 14.** Approval of the 2020 Building and Standards Commission meeting schedule.

ADJOURNMENT

Chair Jessica Mangrum adjourned the meeting at 9:38 p.m.