



BUILDING AND STANDARDS COMMISSION MINUTES

REGULAR MEETING
Date: January 22, 2020

The Building and Standards Commission (BSC) convened for a regular meeting on Wednesday, January 22, 2020 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 Sheddan, Wordy Thompson, Timothy Stostad, James Briceno, Pablo Avila; Sade Ogunbode, Edgar Farrera, John Green and Ex Officio/Fire Marshall, Tom Vocke.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Division Manager; Marlayna Wright, Investigator; Farah Presley, Inspector; James Candelas, Program Specialist; Brandon Carr, Assistant City Attorney; Elaine Garrett, Assistant Director; Daniel Word, Division Manager; John Christophe, Supervisor; Lisa DeRoche, Administrative Manager; Alicia Tovar, Acting Supervisor; Richard Lamancusa, Investigator; David Downing, Inspector; Johnny Serna, Inspector; John Rodriguez, Inspector; Amber Woolwine, Permit and Licensing Review Analyst; Amy Moosman, Community Engagement Specialist and Derek Mobly, Video Production Specialist.

CALL TO ORDER

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

APPROVAL OF MINUTES

Vice Chair Freiburger moved to approve the minutes from the December 12, 2019 regular meeting seconded by Commissioner Avila. The motion carried on a 9-0 vote. Commissioner Green was absent.

CITIZEN COMMUNICATION:

No one appeared for Citizen Communication at this meeting.

PUBLIC HEARINGS

New Case(s):

	<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
1.	CL 2020-001818	2311 Rebel Road	Sang In Lee & Ok Lan Lee

The property was represented at the hearing by the owner Sang In Lee, his son Bobby Lee and interpreter Huisuk Tyner. Staff Exhibits 1, 2A-2Q, 3, 4 and 5 were admitted, as well as Owner's Exhibits 1-6. Vice Chair Freiburger made a motion to adopt the recommended order with 1 modification, i.e., to extend the timeframe for the violations relating to the power pole and auto sales building to 90 days. There was no second and the motion failed. Commissioner Sheddan made an alternative motion to adopt the recommended order with modifications, i.e., to extend the timeframe to 60 days with a penalty of \$2,000 per week, which was seconded by Commissioner Ogunbode. The motion carried 8-2. Vice Chair Freiburger and Commissioner Briceno voted against the motion.

2.	CL 2020-001815	4503 Avenue B	4501 Avenue B, LLC
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This property was not represented at the hearing. Chair Mangrum admitted Staff Exhibits 1 and 2A-2J. Commissioner Sheddan made a motion to adopt Staff Recommended Order with one modification, i.e., to increase the penalty amount to \$2,000 per week, which was seconded by Commissioner Green. The motion carried on a 10-0 vote.

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| 3. | CL 2020-001826 | 5005 Cottonwood Circle, Unit A | Myrna Chavez Espejo |
| 4. | CL 2020-001829 | 5005 Cottonwood Circle, Unit B | Myrna Chavez Espejo |

This case was represented at the hearing by owner Myrna Chavez Espejo. Chair Mangrum admitted Staff Exhibits 1, 2A-20, 3 and 4A-4U. Vice Chair Freiburger moved to close the public hearing, seconded by Commissioner Stostad. Commissioner Sheddan moved to adopt Staff's Recommended Order for repairs within 45 days with amendments to change the penalty to \$2000 per week, and to vacate within 30 days, seconded by Commissioner Stostad. Commissioner Stostad also made a friendly amendment to install smoke and carbon monoxide detectors within 24 hours. Commissioner Ogunbode made a friendly amendment to change the vacate timeframe to 60 days. Lastly, Commissioner Green made a friendly amendment to change the proposed penalties from \$2000 per week to \$1000 per week. All amendments were accepted by the movant and second. Sheddan stated that the penalties should apply individually in each case. The motion carried on a 9-1 vote. Commissioner Avila voted nay.

Continued Case(s)

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| 5. | CL 2019-088182 | 2303 Bendridge Trail | Maria De La Luz Rocha |
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This case was continued from the December 12, 2019 meeting. Vice Chair Freiburger called the case. Attorney Mark McLean appeared to represent the owners. Vice Chair Freiburger admitted Staff Exhibits 7 and 8A-8G. Commissioner Sheddan moved to close the public hearing and adopt staff's proposed order, seconded by Commissioner Ogunbode. The vote carried on a 7-0-2 vote. Commissioner Stostad recused himself; Vice Chair Mangrum abstained and Commissioner Avila was off dais.

Returning Case(s)

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| 6. | CL 2016-066235 | 3500 Greystone Drive, Building 5
(aka Juniper Springs Apartments) | Palgol, LLC |
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This case was represented at the hearing by Attorney Travis Brown and principal Gloria Obeso. The representatives requested that the penalties be offset by the cost of the repairs. Staff had no exhibits to present. Owner's Exhibit 1 was admitted into the record. Vice chair Freiburger moved to reduce the penalties to \$0, seconded by Commissioner Stostad. The motion failed on a 5-3-1 vote. Commissioners Thompson, Briceno and Green voted against the motion; Commissioner Sheddan recused herself; and Commissioner Avila was off dais.

Commissioner Farrera made an alternative motion to reduce the penalties to \$1100, seconded by Vice Chair Freiburger. The motion carried on a 6-2-1 vote. Commissioners Thompson and Briceno voted nay. Commissioner Sheddan recused herself. Commissioner Avila off dais.

Appeal(s)

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| 7. | OL 2019-157971 | 1106 W. 6th Street | Shaun Sims |
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The property was not represented at the hearing. Commissioner Freiburger moved to uphold Staff's decision to deny the Type 3 license application, thereby denying the appeal. The motion carried 7-0 and the appeal was denied. Commissioners Briceno, Green and Avila were off dais.

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| 8. | OL 2019-204987 | 1217 Castle Hill Street | Francis Toepperwein Hornung
Magee/ Charles Hornung |
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The property was represented at the hearing by one of the appellants and son of the owner, Charles Hornung. Commissioner Thompson moved to uphold Staff's decision to deny the Type 1 license application, thereby denying the appeal. The motion carried 8-0 and the appeal was denied. Commissioners Green and Avila were off dais.

DISCUSSION AND POSSIBLE ACTION ITEMS

- 9.** Presentation regarding Aged BSC Cases 2021 and Older – In Compliance with Outstanding Penalties
Presenter: Marlayna Wright, Austin Code Department
- 10.** Presentation regarding the Repeat Offender Program, Suspension and Revocation
Presenter: Daniel Word, Austin Code Department

FUTURE AGENDA ITEMS

There were no items added to any future agendas.

ADJOURNMENT

Vice Chair Freiburger made a motion to extend the meeting past 10:00 p.m. for fifteen minutes, seconded by Commissioner Stostad. The vote carried on a 9-0 vote. Commissioner Avila was off dais.

Chair Jessica Mangrum adjourned the meeting at 10:15 p.m.