

Meeting Summary

360 Developers, Sept. 23, 2008

On Monday, September 22, the 360 Condominium management announced via e-mail that the Novare developers would meet with residents in eight 15-minute one-on-one sessions on Tuesday, September 23 from 4-6. These were assigned on a first-come/first-served basis. We got one of these appointments at 4:45 and another resident got 5:00. They were running late and so for part of the time we joined together but both of us had some individual time with the two gentlemen.

The folks we talked to were Billy Holley, BHolley@novaregroup.com, Pres. of Novare and Marc Brambrut who works with Billy as one of the developers. His email is MBrambrut@novaregroup.com. They did not give us business cards, but Deb Elder gave us this information.

Fire and Water

Q: First and foremost: what caused the big leak and if water can cascade down ten floors what's to stop a fire?

They said it was a length of sprinkler pipe (not a head) inside drywall. Billy held up his hands about a foot apart and said it failed horizontally. Then he said he really didn't know how long it was because he had 'only seen pictures and they weren't to scale.' They said the system was put under pressure almost a year ago and so this was a 'freak accident.' They can't inspect the system because it is behind drywall. [Ed. note: If it failed horizontally that means it was probably not pierced by construction and really failed.]

They had various answers about the potential for fire to follow the path of water (down ten floors). Putty would expand at certain temperatures stopping the fire (but not melting), the doors are 'fire rated.' [Ed. Note: But they don't force close in a fire like the elevator lobby doors.]

Q: What caused the leak several months ago on P8? Have there been others?

They seemed nonplussed about this and then decided it was caused by putty getting into a condensate drain. [Ed. Note. It was a lot of water and while it was just poring through the ceiling in the parking garage you would think they'd remember this.]

Q: Has the fire department certified our sprinkler and fire containment systems?

They assert that the fire department has tested and approved everything.

Q: Do you have a report from the fire department of the incident?

They seemed puzzled at this question. I told them it was public information and I had asked for it but hadn't received it.

From Another Resident's notes: "My first question was actually "Are you bringing in independent inspectors to check all the pipes to be sure that we don't have another defective pipe waiting to burst?" He said that because so many of the pipes were behind drywall, i.e. in our apartment walls and ceilings, that it would be very difficult to inspect them; but he said these are the same pipes used in all of their buildings and this is the only problem they have ever had."

Another Resident also was told the following about the flooding incident: "For instance as we talked about the "water flow" issue he mentioned that the reason folks were evacuated and kept out of the building for so long was because the Austin Fire Department (AFD) would not let anyone back in the building. This was not because there had been smoke; once the AFD determined there was no fire, safety regulations required that residents not be allowed occupancy until the sprinkler system was working again. This means the defective pipe had to be replaced and pressure tested; then the sprinkler system was brought back online and tested. He said they knew about the break immediately because of alarms in the system, but that they were not allowed (again by safety regulations) to turn the water off until the AFD could determine that there was no fire. I told him everyone might have been even more understanding if they had been told this early on instead of left wondering what was going on while they waited patiently downstairs for hours. He seemed to "get it" so we will see if they do a better job of disseminating information."

Elevators

Q: Do we believe that the elevators will function when construction is mostly ended? They seem inadequate at all times to any kind of traffic and subject to failure.

They talked about addressing 'mechanical failures' and the turnover of the construction elevators to us and the old saw about dust and dirt causing problems. They assert that when there aren't regular construction crews every day and the freight elevator is being used for passengers that the elevators will serve us well. We asked if the building being fully occupied wouldn't strain the elevators beyond capacity anyway. We asked how fully occupied we were now. They weren't sure. They "think" that 250 units are occupied now. [Ed. Note: By my calculations that is just 60 per cent.]

Notes from other participants in the meetings:

Another Resident asked them about putting in security swipers to allow us to use the stairways, From her notes: “[they knew about the elevator issues] so what about putting card readers in the stairwell so folks could walk. (I’m 3 floors from my car; I could get to it in a lot less time than the 5 minutes waiting for the elevator.) He assured me they were still working to get the elevators working properly. As for the stairs he said ‘I guess you all could decide to have them all unlocked all the times.’ I stared at him for a minute because I couldn’t believe he had said something so dumb then said “NO.” He went on to say that because key pads were not already wired in it would be expensive to do so. They would have to be wired into the intranet that controls security. He did NOT say this but the implication is that Novare will not pay for it and we homeowners will have to (vote to) increase our HOA fees to cover the cost. (Later that evening a resident suggested to me that we get keys to the stairwell door but I think this would just leave us open to too many people giving out too many copies of the keys to by-pass the front desk.) “

Building Turnover

Q: When will the building be turned over to a Homeowner's Board? Will this board have approval of a punch list of developer warranty work?

In December they will add one resident to the Master Board. This board will eventually have a member from the retail renters as well. At some point an HOA board will be formed and this board will accept the building from the developer in a negotiation much like closing a unit. They were a little confused about the timing of all that and the legal requirements. “I have some notes from our lawyer somewhere,” Billy asserted.

Utilities

Q: Why no utility bills? Are we certain which units connect to which electric meter?

Mark’s answer was that the window to start getting utility bills was 45 days after moving in so we wouldn’t have gotten them yet. This would be a better answer if we hadn’t lived here a few days shy of four months. They said we would get bills at the beginning of October. Of course, we were told this about the first of July, August and September. They had no answer about the meters and whether we had accurate beginning readings. (We told them that quite a while after we moved in a technician had to cycle our power to try to see which unit was connected to a particular meter. Ours was not properly labeled.)

HALO

Q: Where is this system? Will phone entry ever work? In the interim, Novare Connect is not being used effectively. There are bugs in the calendar and there has been no news posted since the opening of the 360 site.

Mark said that unlike the elevators, the Halo software wasn't a critical system and could be tested until it was 'perfect.' He expected it would be done in three weeks. They had no answer about Novare Connect. [Ed. Note: The site was changed vis-à-vis the 'news' after this. There is now NO news!]

DirecTV Monopoly

Q: This service has been spotty. At the VERY LEAST we should have a code that would allow the service line to understand that we are in a high rise and don't have individual antennas and that the technicians are already in the building and won't have to locate the 'cross streets of our home.' When can we select another service?

They seemed to think we could select another service now. AT&T phone service is in the building. They claim DirecTV has only a 'marketing exclusive.' They said we could have Time Warner. However, when I moved in I asked Time Warner if they could deliver service and they said they could not. Another Resident is going to try to get ATT&T TV service. They made notes about the lame service where we are repeatedly asked to 'check our dish for tree limbs.'

Security

Q: Do we have a security guard now? What is being done to prevent interlopers from using the pool? Why can't we have key fob entry on stairways? These could disable in a fire and prevent the fire hazard. Doors are being taped open (by workmen mostly, I think). The firemen seemed to not have a problem with us entering the building via the stairway when the elevators were out of service.

We didn't really get to address this one thoroughly. However, they did say they are hiring guards for 'big events' like the ACL this coming weekend. Also, see above concerning the stairwell access.

Here are some of Another Resident's relevant notes: "During the conversation it was mentioned that there had been some cars broken into in the garage and some folks were stealing TVs from the lobbies. The Developer wanted me to know that they had gone back through the security tapes to figure out who had done it. I guess the cameras are good for something though apparently no one is watching closely enough to prevent a crime.

He didn't say it was construction workers who were doing the stealing. But on that note I asked him what the Managers were going to do now that the finish out was complete to be sure that all the key cards handed out to workers for the past year were no longer active. He admitted that some construction workers were coming up on weekends to show their friends the building. In answer to my question he said he was going to talk to Deb (the Manager) about that. If she had a list of which key cards had been given to workers they could disable those. Barring that they may have to wipe out all the access and reestablish it."

Information Availability

Didn't really discuss this with them in this short time, but Another Resident did tell them that they needed to disseminate information in a widely-available form and be clear about what happened. I had a discussion with Bill Holley a few weeks ago. I emphasized this point and the two-page letter from the developer was the result. I have no idea why we haven't had a report on this pipe break and subsequent clean-up that is as forthcoming. I think one-on-ones are nice but everyone deserves the information.