BUILDING AND STANDARD COMMISSION MEETING MINUTES
700 MAIN CENTER Suite 205 (CONFERENCE ROOM UPSTAIRS)
Thursday, January 25, 2018
5:30 p.m.

MEMBERS PRESENT:
Rawley McCoy, Chairman
Sherri Strickland
Nick Hinojosa
Victor Marshall
Bobbye Thomas
Robert Brooks

MEMBERS ABSENT:
Eric Mercer

STAFF PRESENT:
Grace Garcia, CEO Supervisor
Juan Briones, CEO Senior CE Officer
Steven Solis, CEO Code II Officer
Isaac Solis, CEO Code I Officer
Julie Fulgham, Director of Develop. Services
Rick Madrid, Asst. Director of Develop. Services
Thomas Gwosdz, City Attorney
Denyce Beyer, Administrative Assistant

A: CALL TO ORDER
The meeting was called to order at 5:30 p.m.

B: APPROVAL OF MINUTES FROM PREVIOUS MEETING: FEBRUARY 2, 2017
The minutes of the February 2, 2017 meeting were approved as delivered.
Grace Garcia introduced new Building Standards Commissioner Robert Brooks.

C: DISPOSITION OF THE FOLLOWING CASES:
1. 206 E CONSTITUTION  
FRELS REAL ESTATE INC c/o RUBIN F FRELS

Ms. Garcia stated on Tuesday, January 23, 2018 an email from Attorney Bernard Klimist, on behalf of the property owner, was sent to Director Julie Fulgham. In the email, Mr. Klimist informed that they are dealing with the insurance company to determine if the buildings were damaged in Hurricane Harvey. He also informed us that they have requested the engineering reports from the adjuster and will review them once received. Mr. Klimist requested that the property owner be taken off the meeting agenda. She stated Director Julie Fulgham granted the request that will be postponed to the next meeting with the stipulation that the engineering reports state the awning is safe or outline necessary repairs and they be submitted to Assistant Director Rick Madrid.

Ms. Garcia stated this item was postponed due to the stipulation.

2. 2703 PRICE  
RENE FLORES JR ETUX

Mr. Briones stated on February 10, 2017, Code Enforcement arrived and observed the portions of the wood front porch on this structure had rot and portions also collapsing. The side of the structure had deterioration of the fascia, and soffit and the roof also had damaged portions. A substandard structure certified mail notice was sent to the property owner on February 13, 2017 and an environmental nuisance case was created for the high grass and junk on the property. The property owner(s) were unresponsive and a notice was placed for publication.

The violations for high grass / weeds, and junk on the property was abated on March 8, 2017 and June 5, 2017.

On June 20, 2017, property owner Rene Flores made contact with Code Enforcement Office and advised that he had a medical surgery, and has been in physical therapy. Grace Garcia advised Rene Flores that if he is not able to have the structure demolished, to secure the structure.

On July 3, 2017, Code Enforcement arrived and observed the structure was still unsecure.

Mr. Briones stated on August 4, 2017, Code Enforcement arrived and observed that the structure was partially secure. However, the fascia, soffit, siding, porch, and foundation have visible damage and deterioration.

Mr. Briones stated on September 4, 2017, Code Enforcement arrived and observed more damage to the structure due to Hurricane Harvey. The Findings of the Facts are #2, 3, 4, 5, 6, 7, 8, 9, and 10.
Mr. Briones stated that Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to demolish.

Mr. Briones stated on November 20, 2017 staff received an office visit from “former owner” Mr. Juan Casas with a signed Affidavit of Non-Ownership. He stated on Tuesday, January 23, 2018, the staff received an office visit from the property owner Mr. Rene Flores informing that he had been working with Community Development Block Grant coordinator Darlah Simms to demo the home. Mr. Flores went to the County Clerk’s Office and spoke with the real estate record department to obtain the records and information he needed. Mr. Flores was informed that it appeared Mr. Juan Casas never transferred the deed to Mr. Flores and it appears that it still belongs to Mr. Casas. Mr. Flores was supplied with the information to Texas Rio Grande Legal Aid.

Mr. Briones stated Code Enforcement received information today that Attorney Jan Scott had drawn up the paperwork for Mr. Casas to sign over the deed to Mr. Flores. Once this has been completed then CDBG Coordinator Darlah Simms will move forward with the demolition of the structure.

a. Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the Public Hearing.

Rene Flores, 2703 Price, stated he had been trying to get in touch with Mr. Casas to sign the papers so he could get the home demolished. He noted he was not able to get in touch with Mr. Casas, so Mrs. Scott would have to meet with him and get him to sign the paper.

Ms. Strickland asked if Mr. Casas was in town. Mr. Flores stated that he was.

Mr. McCoy asked if any ruling made tonight would apply to Mr. Casas. Ms. Garcia stated yes. Ms. Garcia stated we do have an affidavit that Mr. Casas signed stating that he no longer owns the property. Ms. Strickland stated legally Mr. Casas owns the property. Mr. Gwosdz stated if Mr. Casas did not sign a deed and get it filed it is still Mr. Case’s property. He stated it should not change the scope of consideration.

Mr. McCoy then closed the Public Hearing.

b. Consideration of Orders to Issue

Ms. Strickland made a motion that the building is unsafe. Mr. Marshall seconded the motion. Motion carried.

Ms. Strickland made a motion that the structure is more than 50% damaged. Ms. Thomas seconded the motion. Motion carried.

There will be an automatic demolition.

Ms. Strickland made a motion that the building be demolished within 30 days of the
There was a deliberation between the board members and Thomas Gwosdz, City Attorney, to discuss an extension, which was irrelevant because the structure deemed more than 50% damage which is an automatic 30-day demolition.

Ms. Garcia stated since we filed the orders at the County Clerk’s office, the orders do transfer to the other person, but even with our process with what he is doing and once the 30 days is over he will have additional time anyway. She stated by the time we get the contract and the bids out he has another three months.

3.1502 BOTTOM RD
TIRSO ALVAREZ
C/O JOHN ALVAREZ

Isaac Solis stated the Code Enforcement Officer performed an inspection for various violations: weeds, high grass, junk, trash, and sub-standard structures. The main structure was found to be unsecured with broken windows, missing floor boards, and portions of collapsing roof. Upon further inspection, we observed two additional structures that appear to have significant structural damage. Mr. Solis stated the structure on the north side of the property has deteriorated walls, collapsing roof, and missing metal support poles. The accessory structure on the west side of the property is unsecured and has a collapsed roof.

Mr. Solis stated on November 21, 2017 we met with the property owner Mr. Alvarez who stated that his intentions were to demolish the main structure and leave the accessory structure on the west side of the property secured. As of December 7, 2017, there has been no progress in the securing or demolition of the structure. He stated the Findings of the Facts are #2, 4, 5, 6, 7, 8, 9 and 10.

Mr. Solis stated Code Enforcement recommends the structure including accessories, be declared unsafe and for the Commission to issue an order of demolition.

Mr. Solis stated as of today, there has been no progress in the demolition of the structures.

(a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the Public Hearing.

John Alvarez, 1502 Bottom Road, stated he has been making progress on this. He stated he is going to tear down the house. He stated he has not torn down the outside yet, but he has removed the sheetrock from the inside and some of the walls on the inside. The walls on the inside are made out of
cedar, so he is tearing down the boards to reclaim them. He is going to use the boards for shelving. He stated the tin that is over the other building was removed. The floor that was there was removed and the wood on the side has been removed. He stated he is working on the back which is opened up. He stated he has started taking the boards from the garage. He stated he was going to ask for another 60 days extension. He noted now he is working on the roof of the house.

Ms. Garcia stated he needed to get a permit for the demolition.

Mr. Alvarez stated the structure next to the travel trailer he is going to make into a shop. He is going to put the cedar boards from the house on this structure. Ms. Strickland asked him how long it would take him to do that. He stated he is asking for a 60 days extension to have the house at least down to the floor.

Mr. Garcia stated to Mr. Alvarez that he was not allowed to live on site in the RV. He stated the trailer is there for him to store his belongings, and noted he lives with his girlfriend.

Mr. Madrid stated to Mr. Alvarez that he needed to meet with staff in regards to what he plans to do. Mr. Madrid stated he would meet with him when he came in to get his permit.

Mr. McCoy asked if the building he was going to keep was secured. Mr. McCoy stated the primary function of this committee is to protect the health, safety and welfare of the community. Mr. Alvarez stated he could secure the building tomorrow. He stated once that is done, as long as you follow through with what you say you are going to do, then we could perhaps give you the maximum amount of time you are asking for. Ms. Strickland stated that he also needed to secure the big house he was tearing down. Ms. Garcia stated he could also put up a fence around it.

Mr. McCoy then closed the public hearing.

(b) Consideration of Orders to Issue

Mr. Hinojosa made a motion that the building was unsafe. Ms. Strickland seconded the motion. Motion carried.

Ms. Strickland made a motion that the house and shop are less than 50% damaged, but the carport is more that 50% damaged. Mr. Hinojosa seconded the motion. Motion carried.

Mr. McCoy stated the carport is automatic demolition.
Ms. Strickland made a motion to get a permit, and secure both structures within 30 days and 60 additional days to do the work; if the property is not secure within 30 days it would be demolished. Mr. Hinojosa seconded the motion. Motion carried.

D: ITEMS FROM BUILDING AND STANDARDS COMMISSION

Mr. McCoy welcomed Mr. Brooks to the Buildings and Standards Commission.

Ms. Garcia stated Mr. Brooks could meet with the Code Enforcement Staff and staff could explain the process.

E: ITEMS FROM STAFF

Ms. Garcia stated there would only be two BSC meetings a year. She stated there would be more structures.

Mr. McCoy stated anytime there is demolition of property it cost the City. The City has to go out and demo the property and pay for it. He stated he wonders if the money we spend to have these people demo the buildings, if there could be a procedure for example loans and incentives that could help save some of these buildings.

F: ADJOURNMENT

There being on more comments, the meeting was adjourned at 6:40 p.m.

Approved: ________________________________

Rawley McCoy, Chairman

Approved: ________________________________

Julie Fulgham, Director of Development Services