

BUILDING AND STANDARD COMMISSION
700 MAIN CENTER Suite 205 (CONFERENCE ROOM UPSTAIRS)

AMENDED

Thursday, July 26th, 2018
3:30 p.m.

MEMBERS PRESENT:

Rawley McCoy, Chairman
Sherri Strickland
Nick Hinojosa
Eric Mercer
Bobbie Thomas
Robert Brooks
Victor Marshall

STAFF PRESENT:

Grace Garcia, CEO Supervisor
Juan Briones, CEO Senior CE Officer
Steven Solis, CEO Code II Officer
Isaac Solis, CEO Code I Officer
Rick Madrid, Dev. Services, Asst. Director
Thomas Gwosdz, City Attorney
Denyce Beyer, Administrative Assistant

A: CALL TO ORDER

The meeting was called to order at 3:30 p.m.

B: NO APPROVAL OF MINUTES; Minutes for Tuesday, July 24, 2018, will not be ready until next meeting.

C: DISPOSITION OF THE FOLLOWING CASES:

**1. 401 N LIBERTY
BILL WENDLANDT**

Mr. McCoy stated that Mr. Wendlandt is his landlord and noted he rents office space from him. He therefore turned the meeting over to Vice-Chair Sherri Strickland.

Ms. Garcia stated on March 2, 2018, Code Enforcement observed this structure with several broken or missing windows. The structure is across the street from the Victoria Public Library, and we received reports of vagrants living in the home.

On March 6, 2018, a sub-standard structure notice was sent to the property owner listed on the Victoria County Appraisal District, (VCAD) record, via regular and certified mail.

Ms. Garcia stated on March 19, 2018, the property owner Mr. Bill Wendlandt contacted our office and informed that he purchased the property three years ago, but the previous owner had given a couple of transients permission to stay in the home thinking that they would protect the property. However, the transients invited other transients who then broke out the rear window to connect an extension cord to the meter from the building off Main Street. Mr. Wendlandt stated he contacted the Police Department and filed a report but is now waiting for insurance to assess all the damages the transients caused.

Police records show:

- February 16, 2018, Police responded to a report of several transients living in this home and they attempted to contact the owner listed on the appraisal record but they had to leave a message and also advised the transients to leave the location.

- February 17, 2018, the police department performed a follow up inspection and no transients were found on site.
- February 24, 2018, police records show the property manager for the property called and reported transients in the home. Mr. Wendlandt stated that he owns several properties, and he hopes the City realizes there was a hurricane and allow him time.

Ms. Garcia stated on June 8, 2018, Code Enforcement arrived on site and observed that the window remain broken / unsecured and has no visible repairs.

The Findings of the Facts are #1,2,3,5,6, and 10. Grace Garcia stated that this historic structure was built in 1900 and has Italianate architectural influences and is a contributing structure to the Downtown District. She stated Code Enforcement recommends the structure be declared unsafe and for the commission to issue an order to repair all windows that are broken and replace any missing windows.

Ms. Garcia stated that the property owner sent a letter to Code Enforcement Officer Juan Briones and it is in your folder to review. Ms. Garcia also had the Victoria Preservation report and read it to the Committee.

Mr. Mercer asked Mr. Gwosdz, City Attorney, that if the owner's attorney disputes the findings of the facts, that would be between him and the City. Mr. Gwosdz stated the Mr. Mercer that he could asked staff today how they determine those findings of facts. They are saying to you in that section of the report that they have found those things to be true. It is up to you to ask them how they found those things to be true.

a) Public Hearing to Determine if Structure is Unsafe

Sherri Strickland opened the public hearing. There being no one present to speak, the public hearing was closed.

b) Consideration of Orders to Issue

Mr. Mercer stated that what Code is asking is for the upstairs windows be replaced. Mr. Madrid stated that what staff is recommending is that the owner repair siding where it is weather proof, and windows to keep the structure from deteriorating any further.

Mr. Hinojosa made a motion that the structure is unsafe. Bobbye Thomas seconded the motion.

Ayes: Hinojosa, Thomas, Brooks, Marshall

Nays: Strickland,

Abstain: McCoy, Mercer

Mr. Mercer made a motion that the structure is less than 50% damaged. Mr. Hinojosa seconded the motion. Mr. McCoy abstained.

Mr. Hinojosa made a motion to give the property owner 30 days to secure the upstairs windows. Mr. Marshall seconded the motion.

Ayes: Hinojosa, Marshall, Brooks, Thomas
Nays: Strickland, Mercer
Abstained: McCoy

**2. 602 RED RIVER
RUBEN RAMIREZ
ROSENDO CUELLAR III
JACOB CUELLAR
RHONDA FOWLER**

Mr. Briones stated on April 19, 2018, Code Enforcement staff observed that the back area of the addition had dilapidated and deteriorated including portions of the roof covered with blue tarps.

On June 8, 2018, staff arrived to post the Public Hearing notice and spoke with property owner, Ruben Ramirez. Mr. Ramirez stated that he recently received a visit from a representative from the hurricane assistance organization, Rio Texas Response. He said that they discussed repair to the home or even demolishing the home and possibly building a new one. He said that he has not heard from the hurricane response agency since that visit, but will give them a call and update us with any information. Mr. Briones stated as of today we have received no correspondence back from that property owner.

The Findings of Facts are # 1,5,7, and 10. Mr. Briones stated Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to repair the roof and demolish the dilapidated addition.

(a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the public hearing. There being no one present to speak, the public hearing was closed.

(b) Consideration of Orders to Issue

Sherrie Strickland made a motion that the structure is unsafe. Mr. Hinojosa seconded the motion. Motion carried.

Mr. Mercer made a motion that the building was less than 50% damaged. Sherrie Strickland seconded the motion. Motion carried.

Victor Marshall made a motion to repair the roof and demolish the dilapidated addition within 30 days. Mr. Hinojosa seconded the motion. Motion carried.

**3. 3306 CEDAR
SANTAS H BRAEUER
CHRIS ROCHA**

The property has been secured.

**4. 3007 CEDAR (CARPORT ONLY)
CALVIN & LILLIAN MC MULLEN**

Juan Briones stated that Code Enforcement performed an inspection on April 19, 2018. Upon inspection, staff observed roof damage to the garage structure. The top of the garage structure had missing metal sheets, exposure to the elements and deteriorated rafters. In addition to the dilapidated roof, the structure was also filled with junk and trash causing a possible rodent harborage. After mailing notices, there has not been any contact from any interested party as of July 8, 2018. Staff red-tagged the structure and posted the Public Hearing notice on site. Mr. Briones stated as of today we have not received any response from the property owner.

The Findings of Facts # 1,2, 7, and 10. Mr. Briones stated Code Enforcement staff recommends the structure be declared unsafe and the Commission issue an order to demolish the carport structure.

(a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the public hearing. There being no one present the public hearing was closed.

(b) Consideration of Orders to Issue

Sherrie Strickland made a motion that the carport was unsafe. Mr. Hinojosa seconded the motion. Motion carried.

Sherrie Strickland made a motion that the carport is more than 50% damaged. Mr. Mercer seconded the motion. Motion carried.

Mr. Gwosdz stated it would be an automatic demolition in less than 30 days.

**5. 3101 CEDAR (CARPORT ONLY)
LASZLO E NEMES**

Grace Garcia stated that Code Enforcement performed an inspection on April 19, 2018. Upon inspection, staff observed roof damage to the carport possibly caused by Hurricane Harvey. The top of the structure had some missing boards creating, exposure to the elements along with deteriorated rafters, wall studs and exterior wall siding. The bottom plate appeared to show signs of weather damage and deterioration. She reported after sending notices to the interested property owner(s), there has been no owner contact or progress on the repairs or demolition of the structure.

Ms. Garcia stated on June 8, 2018, staff red-tagged the structure and posted the Public Hearing notice.

The Findings of Facts are # 1,2, 7 and 10. Grace Garcia stated that Code Enforcement recommends the structure be declared unsafe and the Commission issue an order to demolish.

Mr. Garcia noted the update, which was the owner and his daughter came in yesterday and gave the staff a detailed plan and they are here to speak to the committee. She noted they do plan to repair the structure. She stated if they are not able to repair the structure they would demolish in a timely manner.

(a) Public Hearing to Determine if Structure is Safe

Mr. McCoy opened the public hearing.

Amanda McGarity, Laszlo Nemes daughter, 3101 Cedar Street, stated her husband came and looked at the structure and talked to other people who gave them an idea of what to do. She stated that she gave her dad a list of what was needed to do the repairs. She stated that they need to raise one area that would be \$200.00. She stated that they would get started on the structure this coming weekend. Mrs. McGarity noted that they would probably work mostly on the weekends. She stated that they are hoping to be finished by the end of August. She stated that they are going to try to get from 6 to 10 people to help them with the repairs. She noted if it is unfeasible to repair they would demolish the structure.

Mr. Mercer asked if the structure served a purpose. Amanda stated that her 70-year-old mother is in a wheel chair, so when it rains it serves a great purpose. Mr. Mercer asked Mr. Madrid if a permit was needed. Mr. Madrid stated the permit for this would be for repairing it. Ms. McGarity asked if they would need a permit to demolish the structure. Mr. Madrid stated yes.

There being no further comments, the public hearing was closed.

(b) Consideration of Orders to Issue

Mr. Mercer made a motion that the structure was unsafe. Sherri Strickland seconded the motion. Motion carried.

Mr. Mercer made a motion that the structure was less than 50% damaged. Sherri Strickland seconded the motion. Motion carried.

Mr. Mercer made a motion that with the written report the property owners have more than 90 days to complete the reconstruction and or demolition of the structure. They would also need to give reports with the progress and be given to the end of this year to demolish or reconstruct the structure. Sherri Strickland seconded the motion. Motion carried.

**6. 2211 VOGT (MOBILE HOME)
GILBERT & RITA OLGUIN**

The structure was demolished.

**7. 822 E PARK (MOBILE HOME)
ABEL REYNA**

Isaac Solis stated on April 19, 2018 Code Enforcement observed the manufactured home on this site with deteriorated siding, including some portions of warped side walls and exposed portions of the interior to the outside elements. There were also portions of the floor that were warped and sagging under the mobile home, along with the insulation.

On May 22, 2018 Code Enforcement conducted a re-inspection of the property and there observed no progress.

Mr. Solis stated on June 8, 2018, staff red tagged the structure and posted the Public Hearing Notice on site.

Code enforcement worked a case to secure the home in November of 2017. The property owner secured the mobile home but no improvements have been made, and citizens continue to report this property as a blight to the neighborhood.

Isaac Solis stated that this property is repeatedly in violation for Environmental nuisance, Junk Vehicle, or Sub-standard structure complaints, and Code Enforcement has worked 15 previous cases.

The Findings of the Facts are #1,2,5,7,8,9, and 10. Code Enforcement recommends the structure be declared unsafe and the Commission issue an order to demolish.

Mr. Mercer asked of the 15 previous cases has this been before the board before. Mr. Solis stated no.

(a)Public Hearing to Determine if Structure is Safe

Mr. McCoy opened the public hearing.

Abel Reyna, 1801 Wildwood Street, stated that he owns the property. He stated he purchased the property 3 or 4 years ago. He stated he received one bill where they came and cut the grass. He stated he does not know what to do with the trailer. He stated he bought the property because his parents live right down the street. The siding on the mobile home is cracked and it is cheap. He stated the mobile home was built in 1985 or 1995. He stated he does not know how to get rid of it. Mr. Mercer asked Mr. Reyna if he had the means to demolish the home or would you hire someone to do it. He noted he could do it. Ms. Strickland noted that the City also had a list of contractors who demolish structures. Mr. McCoy noted the committee could declare it unsafe and it be demolished. Mr. Mercer told Mr. Reyna he would either have to have a plan on how he was going to repair the structure or demo the structure.

Mr. McCoy asked Mr. Reyna if he could have it demolished within 30 days. He stated no.

Mr. McCoy closed the public hearing.

(b)Consideration of Orders to Issue

Sherri Strickland made a motion that the structure is unsafe. Mr. Mercer seconded the motion. Motion carried.

Sherri Strickland made a motion that the structure is more than 50% damaged for value and structure. Bobby Thomas seconded the motion. Motion carried.

Mr. Mercer made a motion that the building be secured and pull the permit within 15 days and demolished within 60 days. Mr. Hinojosa seconded the motion. Motion carried.

**8. 2501 LONE TREE #30
LONE TREE HOLDINGS LLC**

Christian Watts stated on April 20, 2018, Code Enforcement staff observed the back portion of the manufactured/mobile home was missing walls and other portions were dilapidated. While on-site, staff was approached by the tenant, Christopher Wayne Jenkins. He stated that the home belongs to his mother who passed away two, (2) months ago but that he was in the process of working with an attorney to probate the property. Mr. Jenkins said the damage was caused by Hurricane Harvey, and he plans to demolish the damaged portion and then build a wall to enclose the rest of the trailer.

Mr. Watts stated on April 27, 2018 we received a phone call from a representative with Lone Tree Holdings and he explained that they own the land but do not own the trailer. Staff was informed that Lone Tree Holdings only provided utilities and that there had been no rent charged on the hurricane damaged manufactured/mobile home lots. The representative also informed staff that they spoke with Mr. Jenkins and requested that he begin repairs on the mobile home and even agreed to charge half of the lot rent so they could do so. Steven said that since that conversation, months have passed and there has not been any progress so they informed the residents that their next step is to have the trailer hauled away for lack of payment. He said they spoke with the other heir to the property, daughter Alesha Marr, and they are still probating the will so she has her hands tied.

As of June 8, 2018, there has been no progress in demo and staff red-tagged the structure and posted the Public Hearing notice on site.

The Findings of the Facts are #1,2,3,5,7, and 10. Mr. Watts stated that Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to demolish the structure.

Mr. Mercer stated if the property is in probate there is nothing that they can do. Thomas Gwosdz stated that would not stop them from repairing the structure. He noted they could not sell it but they could repair it. Mr. McCoy asked if the executor of the estate has been notified. Grace Garcia noted everyone was notified via publication posted on site.

(a) Public Hearing to Determine if Structure is Safe

Mr. McCoy opened the public hearing.

Christopher Jenkins, son of Barbara Jenkins, stated he was in the process of hauling off the debris this weekend. He stated all he needs is a little time to repair the home. Mr. McCoy asked if within the next 30 days he could have the structure secured. Mr. Jenkins stated yes. He stated he is living there and has water and electricity.

There being no more comments the public hearing was closed.

(b) Consideration of Orders to Issue

Mr. Mercer made a motion that the structure is unsafe. Mr. Marshall seconded the motion. Motion carried.

Mr. Mercer made a motion that the structure is less than 50% damaged. Mr. Hinojosa seconded the motion. Motion carried.

Mr. Mercer made a motion that the owner have 30 days to secure the property and renovation be completed in 60 days. Mr. Marshall seconded the motion.

Mr. McCoy stated if neither of those are met the building will be demolished.

**9. 2501 LONE TREE #24
LONE TREE HOLDINGS LLC**

Grace Garcia reported that this structure was repaired.

**10. 2311 PORT
LIMBRADA M SALLABEDRA
ABRAHAM ARGRETIO
CHERRY ARGRETIO**

Christian Watts stated on April 20, 2018, Code Enforcement observed multiple large holes in the roof of the home, however staff was unable to enter the structure because the rest of the structure was secured.

He noted on April 30, 2018, staff received a phone call from Mrs. Librada M. Sallabedra. She stated that the structure was only being used for storage and she was going to have surgery very soon. She was unsure of how she could get it repaired, so we supplied her information from the Rio Texas Response for possible assistance. We requested she contact our office if she does receive assistance so we can update the case.

As of June 8, 2018, staff red-tagged the structure and posted the Public Hearing notice since there has been no progress on the repair of the roof. We have not received any correspondence from the property owner Mrs. Sallabedra.

The Findings of Facts are # 1,2,3,5,6, and 10. Mr. Watts stated Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to repair the structure.

Mr. Watts noted that no one lived in the house and it was only used for storage. The windows were boarded up and the structure looked secure from what they had seen. The roof has holes in it and they are large.

(a) Public Hearing to Determine if Structure is Safe

Mr. McCoy opened the public hearing. There being no one present who wished to speak, the public hearing was closed.

(b) Consideration of Orders to Issue

Sherrie Strickland made a motion that the building is unsafe. Victor Marshall seconded the motion. Motion carried.

Mr. Mercer made a motion that the structure is less than 50% damaged. Bobbye Thomas seconded the motion. Motion carried.

Mr. Mercer made a motion to repair the structure within 30 days. Victor Marshall seconded the motion. Motion carried.

**11. 1307 JULIUS
ANTONIO J & MARY Y VASQUEZ**

Juan Briones stated that Code Enforcement staff performed an inspection stemming from a concerned citizen report. Upon inspection, staff observed an unsecured dilapidated structure with deteriorated siding, missing walls, roof and interior damage. The roof had visible deteriorated rafters, fascia,

missing shingles and holes that are causing exposure to the elements. The walls on the south side of the property had deterioration and holes in the exterior siding. There were portions of the exterior siding on the southeast corner that appeared to be removed or vandalized. There are multiple broken windows, doors and walls that allow access to the inside of the structure.

On June 8, 2018, staff red-tagged the structure and posted the Public Hearing Notice on site.

Mr. Briones stated on June 12, 2018 staff received information from the property owner, Tony Vasquez, stating that he is awaiting a church to assist with the repairs of the home. He stated that he would be attending the meeting and that he plans on repairing the home. He advised that he would be removing all the sheet rock, replace insulation, repair the electrical, level the home and repair the roof. We informed that he would need to prepare detailed plan and obtain the proper permits for the repairs.

The Findings of the Facts are # 2, 5, 7 and 10. Mr. Briones stated Code Enforcement recommends the structure be declared unsafe and the Commission issue an order to demolish.

(a) Public Hearing to Determine if Structure is Safe

Mr. McCoy opened the public hearing. There being no one present to speak, the public hearing was closed.

(b) Consideration of Orders to Issue

Sherrie Strickland made a motion that the structure is unsafe. Bobby Thomas seconded the motion. Motion Carried.

Sherrie Strickland made a motion that the structure is more than 50% damaged. Mr. Marshall seconded the motion. Motion carried.

Mr. McCoy stated there would be an automatic demolition within 30 days.

**12. 703 S DEPOT
HARRELL BENNETT
% CELESTINE BENNETT**

Isaac Solis stated on April 11, 2018, staff observed a large tree had fallen onto the structure causing a portion of the wall and roof to collapse. It appears that weather elements were also causing damage to the interior and exterior of the structure.

On June 8, 2018, no progress had been made on removal of the tree or repairs to the structure. Code Enforcement red-tagged the structure and posted the Public Hearing Notice.

Mr. Solis stated since our primary inspection, we have not received any response from the property owner.

The Findings of Facts are # 1,2,5,7 and 10. Mr. Solis stated that Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to demolish.

(a) Public Hearing to Determine if Structure is Safe

Mr. McCoy opened the public hearing. There being no one who wished to comment, the public hearing was closed.

(b) Consideration of Orders to Issue

Mr. Marshall made a motion that the structure is unsafe. Sherrie Strickland seconded the motion. Motion carried.

Mr. Marshall made a motion that the damage was more than 50%. Mr. Mercer seconded the motion. Motion carried.

There will be an automatic demolition within 30 days.

D: ITEMS FROM BUILDING AND STANDARDS COMMISSION

Mr. McCoy thanked everyone for coming to these meetings.

Mr. McCoy stated that they needed to have a Work Session. He noted that what we learn as a commission to give feedback to the City on things that we think could be better from what our observations are here. Mr. Gwosdz stated that this commissions only focus is unsafe buildings. He stated that is all the authority that this commission has.

E: ITEMS FROM STAFF

Grace Garcia stated that they found out today that the board members are supposed to be going to Open Meeting training. She stated that staff is going to find out all of the information on that and pass it on to the Commimssion.

Thomas Gwosdz stated that the training could be done online. He stated it is only one hour.

Grace Garcia introduced new Code Enforcement Officer Christian Watts to the Commission.

F: ADJOURNMENT

The meeting was adjourned at 6:10 p.m.

Approved: _____
Rawley McCoy, Chairman

Approved: _____
Julie Fulgham, Director of Development Services