

**BUILDING AND STANDARDS COMMISSION – WORKSHOP
700 MAIN CENTER SUITE 205 (CONFERENCE ROOM UPSTAIRS)
THURSDAY, MAY 2, 2019
11:30 a.m. to 12:45 p.m.**

MEMBERS PRESENT:

Dean Rayborn Sahualla
Craig Lauger
Sherry Strickland
Victor Marshall
Eric Mercer

MEMBERS ABSENT:

Frank Reyes

STAFF PRESENT:

Grace Garcia, CEO Supervisor
Juan Briones, Senior Code Enforcement Officer
Steven Solis, CEO Code II Officer
Isaac Solis, CEO Code I Officer
Christian Watts, Code Enforcement Inspector
Julie Fulgham, Director of Development Services
Rick Madrid, Asst. Director of Develop. Services
Allison Lacey, Asst. City Attorney
Denyce Beyer, Administrative Assistant

A. CALL TO ORDER

The meeting was called to order at 11:30 a.m.

B. INTRODUCTION OF NEW MEMBERS

Grace Garcia introduced new BSC members Craig Lauger and Dean Rayborn Sahualla to the Commission.

C. ELECTION OF OFFICERS

Victor Marshall made a motion to nominate Sherri Strickland as Chairperson. Eric Mercer seconded the motion. The motion carried, and Sherri Strickland was elected as the new BSC Chairperson.

Sherri Strickland made a motion to nominate Victor Marshall as Vice-Chair. Eric Mercer seconded the motion. The motion carried, and Victor Marshall was elected as the new BSC Vice-Chair.

D. APPROVAL OF MINUTES; Minutes for November 15, 2018 meeting.

The minutes of the November 15, 2018 meeting were approved.

E. ORIENTATION OF THE BUILDING AND STANDARDS COMMISSION REQUIREMENTS AND PROCESS:

1. Discussion of Texas Open Meetings Act and Public Information Training Requirements.

Julie Fulgham stated that the City Secretary's office requires that every appointed commissioner take the Texas Open Meetings Act and Public Information trainings. She noted that there are two separate training courses; and once you have completed both of the training courses, you can submit both of the certificates to the Code Enforcement or City Secretary's offices. She noted both of those certificates need to be on file.

2. Presentation, Training, and Discussion on the Role and Duties of the Building and Standards Commission:

Ms. Fulgham and Steven Solis gave a presentation on building standards and building policies and procedures. As a result of the presentation, the following discussion ensued:

Ms. Fulgham noted that we have to have at least 4 members present in order to have a BSC meeting.

Mr. Solis noted that the staff gives the Commission staff reports, pictures of the structure, a brief synopsis of the inspection and if we had interactions with the property owners. He noted in the staff report it notes what deficiencies the structure has.

Ms. Fulgham noted that Rick Madrid, Building Official, inspects every structure before it comes before the Commission.

Mr. Mercer noted in the past he has had some confusion that some of the structures appeared to be more than just code enforcement, there seemed to be more violations than if the building was safe or unsafe. He noted that the building was not unsafe at the moment, but there was some code enforcement that could protect the structure as well at the community. He asked where does our responsibility lie as a board. He noted the board does not get to see what Rick sees. Ms. Fulgham stated you do have that discretion to determine if a structure is safe or unsafe as a board member and the Commission is going to have to make that determination.

Allison Lacey noted that she passed out a copy of the matrix created to help the Commission determine the procedures to take which helps to clarify the actual City Ordinances. She then pointed out that Sec. 5-177, which is the minimum standards; it refers to the Housing Code, Building Code, Electric Code, Plumbing Code and Gas Code. She then recommended that the Commission go thru the code and see what it says. She noted then the Commission should have the basic understanding of what the City's Standards are. Ms. Lacey noted when you get the packet and look at the structure and cannot tell if it is safe or unsafe, then contact Rick Madrid or one of the Code Enforcement Officers and they could help you with the things you are not able to see in

the photo of the structure. Ms. Fulgham stated to the Commission if they had any questions before a BSC meeting to contact Rick Madrid and he would visit with you.

Craig Lauger stated just to clarify we can ask staff questions at a meeting so everyone can hear the answers in a different way. Mr. Madrid confirmed that the Commissioners always have a right to ask questions and further stated they do a thorough inspection. He stated they walk around each structure, look under it and if they can get in it, they walk through it. He stated we try to be your eyes. Sherri Strickland recommended to the Commissioners that before the meeting go look at the structures, but do not get out of the car.

Mr. Madrid then went over the City's Building Codes.

Ms. Fulgham then explained securing the structure to the commission. She noted you have to make the structure secure so no one can get into the building. The other part is, there is a section about the non-supporting coverings of walls. She stated if you have a wall full of windows and all of those windows are gone; and you are starting to see the supports for that wall because so much of it was made up of windows and they are not deteriorating, then you have an unsafe condition as far as the structural aspect of the building.

Mr. Mercer stated most of us here have businesses, at what point could we be held accountable for our decision as a board. Allison Lacey stated they would not. She stated that they were an official Commission of the City of Victoria and they are quasi-judicial. She stated state law protects them, so they would not be sued as an individual.

Ms. Fulgham stated the staff generally does not take homeowner occupied buildings to the BSC. She stated they do have a very lengthy process before a case goes to the board. The staff then presented the process they go thru before it goes before the Commission.

Ms. Strickland asked if they mail a notice to the homeowner and post it on the house. Mr. Solis stated yes.

Mr. Solis also noted that they go by the structures on the day of the meeting so that they can see if someone may have torn the structure down, or see if they have done improvements to the structure. He stated they also take updated pictures of the structures. He noted sometimes the property owners will give the staff a call and come by the office. Mr. Solis then stated they will discuss the issues of the structure, whether it needs to be secured and the staff will give them added information. He stated the staff will give them a repair form that they can bring to the BSC meeting. He stated the form is so they can outline what they plan on doing to the structure and then they can present it to the Commission upon the arrival at the meeting.

Ms. Strickland stated the staff has worked with the owners extensively before they even come to the BSC commission. She also stated most of the time after the people have come before the Commission they do repair the structure.

Mr. Mercer asked if the City had a budget, and do we try to stay under the budget amount. He stated because at the last few meetings we have had numerous demolitions. He stated that has

to be costly on the City. Ms. Fulgham stated that is why we try to get compliance and we give people as many opportunities as possible. She noted we also have Community Development Block Grant funds, which are federal grant funds and if you qualify then those grants can help demolish the structure. She stated on non-CDBG demolitions we give the property owner a chance first, and if they don't do it then we contract the demolition and we have the structure demolished and then a lien is placed on the property. Mr. Mercer asked what the success rate of that was. She stated about what half of what the Commission sees we end up demolishing by contract or using CDBG funds. He asked what the recovery of monetary sum was. She stated it varies.

Mr. Madrid pointed out to the Commission that when they do consider allowing repairs to some of these structures, the owner will put a roof on then they will go and put sheet rock up, etc. and then they leave. The work stops. He noted the property owner is putting money in the property, and it makes it that much tougher the next time they come before the commission. Mr. Madrid stated for example, the property owner may have just put \$12,000 into that structure, and it is not complete. He questioned does the owner now have to tear the structure down or just stall it out another year or two? Mr. Madrid stated this happens quite frequently.

Ms. Lacey stated while the property owner does have a plan, the likelihood of the structure actually being repaired is small. Ms. Strickland stated they have asked the property owner if they have the finances to do the plan. Ms. Fulgham stated what more than likely happens is that the owner will sell the property and a new property owner would complete the plan. Ms. Strickland stated before the property owner comes before this Commission, they have a plan and fill it out. Ms. Lacy stated if they do not come with a plan, when they have been provided with that information, the Commission should take that into consideration.

Mr. Solis stated once again for the Commission members to call the staff, if they had any questions before a Building and Standards Commission meeting.

Ms. Lacey stated that anyone having a problem about condemning someone's house, always remember that there is a process the staff goes through. The meeting is the last step in the process and if the owner wants to save the structure, there is a process that they are informed of. She reminded the Commission that there is more that can be done once you have made your decision. She noted to the Commission that it is their job to protect the community.

There being no more comments, the meeting was adjourned at 12:45 p.m.

Approved: _____
Sherri Strickland, Chair

Approved: _____
Julie Fulgham, Director of Development Services