



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

**Thursday, July 23, 2015  
5:30 p.m.**

**COMMISSIONERS PRESENT:**

Rawley McCoy, Chairman  
Harold Cade  
Bobbie Thomas  
Nick Hinojosa  
Sherri Strickland

**COMMISSIONERS ABSENT:**

Eric Mercer

**STAFF PRESENT:**

Jared Mayfield, Director of Dev. Services  
Julie Fulgham, Asst. Director of Dev. Services  
Juan Briones, CEO  
Grace Garcia, CEO Supervisor  
Steven Solis, CEO  
Isaac Solis, CEO  
Andrea Ayala, CEO  
Linda Champion, Asst. City Attorney

**A: CALL TO ORDER**

The meeting was called to order at 5:30 p.m.

**B: APPROVAL OF MINUTES FROM PREVIOUS MEETING April 23, 2015**

The minutes of the April 23, 2015 meeting were approved as delivered.

**C: DISPOSITION OF THE FOLLOWING CASES:**

**1. 1308 SIEGFRIED  
ROMAN RODRIGUEZ  
ROMAN RODRIGUEZ c/o RAQUEL RODRIGUEZ**

Ms. Ayala stated on August 22, 2013 the property located at 1308 Siegfried was taken to the BSC for a recommendation for demolition of the accessory structure on the property. On October 14, 2013 the accessory structure was demolished. The City has performed environmental abatements on the property on the following dates: June 14, 2014, September 23, 2014, January 23, 2015, March 23, 2015 and May 5, 2015, without any response from the property owners. The structure is pier and beam, and there is significant deterioration around the front porch and it appears the foundation is sinking. The exterior wall is made from asbestos siding. The roof is made of composite material and is sagging with the overhang deteriorating. The interior walls are made of sheet rock and have been vandalized. The interior walls also have broken sheet rock with holes. The floor is wood and has deteriorated wood members. The front door is unsecured and is the only room visible to Code Enforcement.

Ms. Ayala stated a police report was pulled on May 27, 2015 of a crime history for 1308 Siegfried. On February 4, 2006 at 5:36 a.m. police responded to a welfare check call. Upon entry of the structure a body was found in the kitchen area. It was the property owner Roman Rodriguez.

Ms. Ayala stated that on June 29th, 2015 while we were onsite posting Public Hearing notices we were approached by concerned citizen Ofelia Rangel. Mrs. Rangel informed us that she would let the family know all of this information. As of July 14, 2015 there has been no progress in repair or demolition of the structure.

The Finding of the Facts are: #1,2,3,4,5,6,7,8,9, and 10.

Ms. Ayala 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 Unsafe

Mr. McCoy opened the public hearing. No one was present to speak on the above property. Mr. McCoy closed the public hearing.

(b) Consider Issuing an Order to Secure and Repair.

Mr. Marshall made a motion that the building was unsafe. Ms. Strickland seconded the motion. Motion passed.

Ms. Strickland made a motion that the structure is more than 50% damage. Mr. Cade seconded the motion. Motion passed. The building will be demolished.

**2. 1108 E. COMMERCIAL  
JUAN LUCIO  
BRENDA BAREFIELD**

Steven Solis stated that on February 20, 2015 Code Enforcement observed a storage building being occupied as living quarters. There were electrical cords running from the main structure to the accessory structure. Staff observed the main structure had an improperly secured door, improperly secured windows, broken windows and window panes, deteriorated siding, deteriorated soffit and fascia, and, on the back exterior wall gang affiliated graffiti. The porch to the back door area was dilapidated and unable to use. When staff was able to gain entry to the structure they observed sheet rock removed, exposed wiring, broken or missing floorboards, and exposed wiring from the ceilings. Staff obtained information from the previous tenant stating that the residence is very unsafe and they experienced electrical sparks from the breakers. They also advised that in the living room and kitchen areas the wires would make a popping sound while operating appliances.

Mr. Solis stated the staff has spoken with the property owner and explained our process for substandard structures. Staff further explained the repairs that were needed and that it needs to be secured properly to avoid vandalism or vagrancy. The property owner stated that he plans on repairing the inside and that he hasn't pulled necessary permits to perform any repairs. The property owner was advised that he would need to pull proper permits for plumbing, electrical, windows and sheet rock. He was also advised to bring a detailed plan so that the board can determine what time frame to give for the repairs.

The Findings of Facts are: #2,4,8, and 9. Mr. Solis stated that there were letters mailed to the property owner March 17, 2015, April 9, 2015 the staff posted all notices on site on the main structure and on June 29, 2015 staff mailed and posted public hearing notices on site.

Mr. Solis stated the staff recommends the structure be declared unsafe and for the Commission to issue an order to properly secure and repair the structure.

Mr. McCoy asked if the owners had responded. Mr. Solis stated that when they were posting the notices the property owner's father-in-law did show up. He stated before they left the property owner's wife or girlfriend arrived on site. He stated after that the staff received an office visit from the property owner Juan Lucio. The property owner did state that his intentions were to repair the home. Mr. McCoy asked if the owner gave any indication about a timeline. Mr. Solis stated no. He stated he told the property owner to come to the meeting with a timeline and a detailed plan.

Mr. Solis stated as of today no permits have been pulled and no visible progress has been made at this location.

(a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the Public Hearing. No one was present to speak. Mr. McCoy closed the public hearing.

(b) Consider Issuing an Order to Demolish.

Ms. Strickland made a motion to declare the building unsafe. Mr. Cade seconded the motion. Motion passed.

Ms. Strickland made a motion that the building is less than 50% damaged. Mr. Cade seconded the motion. Motion passed.

Ms. Strickland made a motion that the property be secured within 30 days by the homeowner and if it is not secured within 30 days the City will secure it. Mr. Marshall seconded the motion. Motion passed.

**3. 1011 JUAN LINN  
MARY LOU CANDELARIA & HECTOR MARTINEZ  
LLOYD CANDELARIA**

Ms. Ayala stated that on March 3, 2015, Code Enforcement observed a structure that appeared to be partially demolished. The entire roof had been removed, and all doors and windows were missing. The walls on the east and west side had been partially removed and there are cracks within the brick walls that would indicate that the foundation is not stable. On June 4, 2015, staff observed that there has been no progress or repairs made to the structure. The front overhang (canopy) of the structure is showing major deterioration and weather damage. The south side wall shows stress cracks possibly caused by shifting. This property has also become an attraction for illegal dumping. Code Enforcement has inspected and abated the property on many occasions for environmental nuisance violations. As of July 14, 2015, there have not been any permits pulled for repairs or demolition.

The Findings of Facts are: #1,2,3,4,5,6,7,8,9 and 10.

Ms. Ayala stated that Code Enforcement recommends the canopy structure and freestanding back wall be declared unsafe and for the Commission to issue an order to demolish the canopy and remaining back wall portion.

Ms. Ayala stated as of July 23, 2015 no permits have been pulled and no progress has been made at this location. She noted that more deterioration of overhang is visible.

(a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the Public Hearing. No one was present to speak. Mr. McCoy closed the public hearing.

(b) Consider Issuing an Order to Demolish.

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

Ms. Strickland made a motion that the building is less than 50% damaged. Mr. Hinojosa seconded the motion. Motion passed.

Ms. Strickland made a motion that the canopy structure and free standing back wall be declared unsafe and for the Commission to issue an order to demolish the canopy and remaining back wall portion. Mr. Hinojosa seconded the motion. Motion passed.

Mr. Hinojosa excused himself from the meeting.

Mr. McCoy asked if the Commission could schedule a workshop with staff and Legal Department to let the Commission know what authorities they have and don't have. Mr. Mayfield clarified if he was requesting a training workshop. Mr. McCoy stated yes. Ms. Strickland stated it would be an opportunity for us to asked questions and it would not be during a public hearing. Mr. McCoy stated he wanted the staff to think about it and get back to the Commission.

**4. 1407 HARRY  
TESSIE BARNETT RHODES,  
HUNTER-KELSEY OF TX LLC**

Mr. Briones stated that on January 5, 2015, Code Enforcement observed that the structure was not secured. The back sliding door was unsecured. The roofing shingles had been removed. The roof sheathing is all that remained. In the exterior of the home, staff observed rotted flooring, and wall damage. Staff also observed the ceiling has major deterioration from being exposed to the elements.

Mr. Briones stated on May 4th, 2015, staff observed the home is still unsecured. No repairs have been made to the roof of the structure. Upon entering the home staff observed all sheetrock from the ceiling and insulation has collapsed onto the floor. Staff could see daylight through the roofing rafters. Staff suspects that the recent rains have entered through the roof of the home and into the exterior of the home. Due to wet insulation and debris, extreme foul odors and mold appear to be present in the home.

As of July 14, 2015, there have not been any permits pulled for repairs or demolition.

The Findings of the Facts are: #1,2,3,4,5,6,7,8,9, and 10.

Mr. Briones stated that Code Enforcement recommends that the structure be declared unsafe and for the Commission to issue an order to demolish. He stated as of today, there has been no progress and the structure is still unsecured.

(a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the public hearing. No one was present to speak. Mr. McCoy closed the public hearing.

(b) Consider Issuing an Order to Demolish.

Mr. Marshall made a motion that the structure was unsafe. Mr. Cade seconded the motion. Motion passed.

Ms. Strickland made a motion that the structure is more than 50% damaged. Mr. Cade seconded the motion. Motion passed. There will be an automatic demolition.

**5. 1605 GOODWIN  
NCS PROPERTIES,  
NCS PROPERTIES c/o NOEL SMITH**

Mr. Briones stated on December 5, 2014 Code Enforcement conducted an inspection on the structure due to a tenant's complaint. Staff observed deterioration in the fascia and roof near the door way. Inside the living room, the floor was not leveled properly. Throughout the unit, there were multiple holes in the wall, and light fixtures were not working properly. In the kitchen, staff noticed holes in the sheetrock, and in the main bedroom the wall has separated from the flooring. Staff was able to see daylight through the floorboards coming from underneath the structure. The utility attachment had a large hole in the floorboard and there was separation from the roof and the ceiling. On the exterior of the structure, staff observed that siding repairs are needed. There are mixed-matched plywood boards, as well as improperly installed boards on the exterior siding. There are 5 units within the structure and staff was only able to conduct an inspection on unit number 3.

Mr. Briones stated on April 23, 2015 this structure was presented to the Building and Standards Commission, (BSC). The Board declared the structure unsafe and less than 50% damaged. The Board also issued an order for the owner to contact the City within 30 days and obtain a list of all repairs needed for the structure to meet code; Once the owner obtained the list from the City, the Order also required for the owner to present a written detailed plan of repairs to the board members at the July 23, 2015 BSC Meeting.

Mr. Briones stated the property owner did meet with the City Building Official, Rick Madrid on May 5th, 2015 and it was established what needed to be repaired to bring the structure up to code. On June 19th, 2015 a permit for General Repair was pulled by the property owner and expires on September 17th 2015.

As of June 9th, 2015 no progress has been made in repair of the structure.

The Findings of the Facts are: #1,2,3,4,5,6,7,9 and 10.

Mr. Briones stated that Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to repair and obtain a Certificate of Occupancy for each apartment. Mr. Briones stated as of today, staff observed a posted valid permit in the front of the structure facing the street. We noticed several new windows have been installed to the units, on Unit #2 there appears to have repairs to the front door frame, window frames, siding and back washroom. He stated Units #3 and 4 show some repair to the front siding, window frames and door frames. However, in the rear of the structure we observed several new holes of rotten wood boards.

Ms. Strickland asked how many of the units were occupied. Mr. Briones stated all of them are occupied.

(a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the public hearing.

Noel Smith, owner of NCS Properties Inc., PO Box 4953, Victoria, Tx. 77903, stated he met with Mr. Madrid and he came and inspected his apartments and he made all of the repairs that needed to be done. Mr. Smith stated he had a plan for the Commission to look at. Ms. Strickland asked him to show the plan to the Commission. Ms. Strickland asked what the timeline was. He stated he hoped to be completed before this meeting, but he is having money issues.

There being no more comments, Mr. McCoy closed the public hearing.

(b) Consider Issuing an Order to Demolish.

Mr. McCoy stated he looked at the order that was issued and it stated we were to obtain a list of the repairs. He noted to Mr. Smith that he came to the meeting with a response to that list of repairs. Ms. Fulgham stated some of the repairs are listed in the permit and the permit states, "It is a general repair permit for the BSC

case to trim out windows, and doors and remove rotten wood for apartment complex. It stated there are issues with wash rooms, but did not have specific details. In the rear exterior wall there is water damage and windows have a lot of extra openings. The roofing is bad and a lot of the area on the rear and south side of the property. “ Ms. Thomas asked how long the permit is good for. Mr. McCoy stated the one we have here is good until September 17, 2015. Ms. Fulgham stated those can be extended if there are inspections being made.

Mrs. Strickland asked the staff if there was any progress made. Mr. Briones stated there were boards replaced around the window, and there was some repair to one of the wash rooms.

Ms. Strickland made a motion that the building is still unsafe. Ms. Thomas seconded the motion. Motion passed.

Ms. Strickland made a motion that the building is less than 50% damaged. Ms. Thomas seconded the motion. Motion passed.

Mr. McCoy made a motion that a meeting happen within the next 10 days between the property owner, the City Building Official and the Assistant Director of Development Services to define the scope of the permit that identifies all the substandard and unsafe issues of the building. The scope of the permit shall be submitted to the Commission along with a progress update at the next meeting. Mr. Marshall approved the motion. Mr. Cade seconded the motion. Motion passed.

**6. 203 JOHN  
JANIE GARCIA RAMOS  
JANIE G RAMOS c/o RICARDO F GARCIA**

Steven Solis stated that on June 2nd, 2015 Code Enforcement observed broken windows and a large opening on the side of the structure where a window and window frame was removed while inspecting environmental violations. Notice was sent to the property owner to secure structure.

He stated on June 29th, 2015 staff arrived onsite to post Public Hearing notices and no progress has been made in the securing of the structure. As of July 14th, 2015 no progress has been made and contact has not been made by the Property Owner to our office.

Mr. Solis stated as of July 23, 2015, staff observed no progress in securing or the repairs to the structure. Staff spoke with a daughter-in-law of the deceased property owner and they currently don't have any plans for repair or demolition. She stated that an obstacle they are going through right now is there is no written will or probate so there are several other family members that the home goes to. Mr. Solis stated there is a large portion of the property that is not secured. He stated repairs are needed on the north side of the structure.

Mr. Solis stated the Findings of the Facts are: #2,5,7,8,9, and 10. He stated Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to secure the structure.

Mr. Solis stated that Code Enforcement recommends that the structure be declared unsafe and for the Commission to issue an order to secure the structure.

(a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the public hearing.

Linda Ramos, 107 Sterling Court, Victoria, Texas, representing Reuben Ramos, stated they do not have an action plan, as of today. She stated they were not informed about what is going on with the structure because notices were going to other family members. She noted that another of the family members learned of the letter and at a later date called her husband, Reuben. She then gave the history of what is going on with the structure to the Commission. She noted that her father-in-law passed away and he did not leave a will. She stated in 2007 the family put together an heirship affidavit. It listed all of the children. She stated since that time, one of the daughters

has passed and her children are not cooperating. Ms. Ramos stated her husband is one of the heirs. She stated because of family dynamics that have taken place, her husband has been the only responsible party paying the taxes. She stated they do not have any future plans at this point. She stated if they move forward, they would have a lot of legalities. Ms. Ramos stated they will secure the property. Allison Ramos, daughter of Linda Ramos, stated that there are two homes. She stated that her father would like to repair her grandfather's house. She stated because of the legalities they have not been able to do that. She noted that her father would secure the property. Ms. Ramos asked if someone from Code Enforcement could meet her at the site so she could have a clear understanding of exactly what needs to be done to secure the home. Ms. Garcia said she had a list of contractors she could give to her.

Mr. McCoy closed the public hearing.

(b) Consider Issuing an Order to Demolish.

Mr. Hinojosa made a motion that the building is unsafe. Ms. Strickland seconded the motion. Motion passed.

Mr. Hinojosa made a motion that the building is less than 50% damaged. Mr. Cade seconded the motion. Motion passed.

Mr. McCoy made a motion that the owner secure the building within 30 days or in the absence of that happening that the City secure the building. Mr. Hinojosa seconded the motion. Motion passed.

**7. 2006 JECKER  
NATIONSTAR MORTGAGE LLC  
DONNA ODEM-NICHOLS & JOHN NICHOLS**

Ms. Ayala stated that on March 4, 2015 Code Enforcement observed that the back door and window to this structure were unsecure. There were no floors inside the home and the ground under the home was visible. It appeared someone may have been remodeling. Due to the missing floors, the structure is unsecure and open to the elements. Code Enforcement confirmed with the Development Center Department that no permits for any type of work has been obtained. Nationstar Mortgage LLC was listed on Victoria County Appraisal District, (VCAD) as owner of this property and were sent notice.

Ms. Ayala stated on April 21, 2015 a follow-up inspection revealed that no progress had been made and Code Enforcement was making preparations to abate / secure the structure. However, on June 1, 2015 Donna Odem-Nichols, contacted the office to inform that she had purchased the property and plans to remodel the structure. She was informed of the Building and Standard Commission public hearing meeting and advised to attend the meeting and to prepare a detailed plan of the remodel. She stated that she will attend and prepare a detailed plan. The Finding of the Facts are: # 2,3,4,5,6,7,8,9, and 10.

Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to secure and obtain the proper permits to repair and a Certificate of Occupancy is required prior to someone moving in. Ms. Ayala stated as of July 23, 2015, they observed no progress in repair to the home but that a permit had been pulled today.

(a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the public hearing.

Donna Odem Nichols, PO Box 5086, Victoria, Tx. 77903, and stated she and her husband purchased the property and closed on it on April 24. She stated she did not get a notice until June 29. She stated her plans were to start working on the house before June 29, but was injured and had to have knee surgery. She stated they have collected bids and quotes and provided the commissioners with a list. She stated attached is a letter that states what her plans are. She stated the repairs should be completed by January 1<sup>st</sup>. Mr. Hinojosa asked if the house was secure now. Ms. Nichols stated the front and back door are secured. Mr. McCoy stated he would like for Ms.

Nichols to attend the next meeting in October with a progress report of the property. She stated she would attend the meeting and noted the property may meet code by then.

Mr. McCoy closed the public hearing.

(b) Consider Issuing an Order to Demolish.

Mr. Hinojosa made a motion to declare the structure unsafe. Mr. Cade seconded the motion.

AYES: Hinojosa, Cade, Thomas, McCoy, Marshall

NAYES: Strickland

Ms. Thomas made a motion that the structure is less than 50% damage. Mr. Hinojosa seconded the motion. Motion passed.

Mr. McCoy entertained a motion that Ms. Nichols be granted her 6 month time frame to complete the work, because she has brought us a plan and has a permit, but would require that she attend the October meeting to give the commission an update. Mr. Hinojosa approved the motion. Mr. Cade seconded the motion. Motion passed.

**8. 2401 SAM HOUSTON (ACCESSORY ONLY)  
JOE JR. & MARY D. OCHOA  
MIDFIRST BANK DEED OF TRUST**

Mr. Briones stated the structure has been demolished. The permit was pulled on July 9, 2015.

**D: ITEMS FROM BUILDING AND STANDARDS COMMISSION – None.**

**E: ITEMS FROM STAFF -None**

**F: ADJOURNMENT**

The meeting was adjourned at 7:45 p.m.

Approved: \_\_\_\_\_  
**Rawley McCoy, Chairman**

Approved: \_\_\_\_\_  
**Jared Mayfield, Secretary  
Director of Development Services**