



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

**Thursday, October 22, 2015
5:30 p.m.**

MEMBERS PRESENT

Rawley McCoy, Chairman
Bobbye Thomas
Nick Hinojosa
Sherri Strickland
Eric Mercer
Victor Marshall

MEMBERS ABSENT:

Harold Cade

STAFF PRESENT:

Julie Fulgham, Asst. Director of Development Services
Grace Garcia, CEO Supervisor
Juan Briones, CEO
Steven Solis, CEO
Isaac Solis, CEO
Thomas Gwosdz, City Attorney
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: JULY 23, 2015

Mr. Marshall had a correction for the minutes. He noted that his name had been left off for attendance at the July 23 meeting. The minutes were then approved as corrected.

C: DISPOSITION OF THE FOLLOWING CASES:

- 1. 1605 GOODWIN
NCS PROPERTIES, NCS PROPERTIES c/o NOEL SMITH
BAYVIEW FIRST FUNDING LLC**

Mr. Solis stated that on July 23, 2015 this structure was presented for a second time to the Building and Standards Commission, (BSC). The Board declared the structure unsafe and less than 50% damaged. The Board issued an order for the owner to meet with the City Building Official and the Assistant Director of Development Services to define the scope of the existing permit and identify all the substandard and unsafe issues of the building within 10 days. The owner was to also 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 a signed copy of the scope and timeline be submitted to the board, along with a status update at the next meeting.

Mr. Solis stated on August 4, 2015 Assistant Director Julie Fulgham and Building Official Rick Madrid met with Property Owner Noel Smith. Mr. Smith was presented a City Of Victoria handout for repairs of dilapidated structures. Also discussed were repairs to the following numerous dilapidated housing conditions:

- Repairing dilapidated east wall
- Window Openings not to Code
- Exterior Siding is not weatherproof
- Roof is dilapidated in several areas and is also deteriorated and brittle. Requires re-roof
- Repair/rebuild the washrooms to meet code
- Remove siding and expose exterior studs for inspection from bottom plate to mid wall
- All associated plumbing/wiring within exposed cavities shall be inspected
- Covered areas of west side of building shall be exposed where fire occurred for inspection

Mr. Solis stated on September 14, 2015, Code Enforcement met with the Property Owner Mr. Smith and Building Official Rick Madrid at the property. Very little progress was observed on the repairs that had been made. A few areas of the wall were opened for inspection; due to the consistency of wood rot in the bottom stud plate, Building Official Rick Madrid requested for Mr. Smith to remove approximately thirty six (36) inches above the bottom plate of the entire length of the building. Mr. Smith stated that it has been difficult to find reliable contractors to do the work, but they were able to remove the siding as requested. Building Official Rick Madrid also reiterated to Mr. Smith that overall repair of the structure needs to start from the bottom up. Other areas that would need to be addressed once the rot and studs are addressed are the wash rooms and roof. Mr. Smith inquired if they could replace the rotted portions once the additional area of siding was removed. Building Official Rick Madrid agreed but requested the areas repaired not be covered up until it was inspected and approved.

On September 25, 2015 Code Enforcement re-inspected the property and observed that additional siding was removed as requested and some minor replacement has taken place in rotted areas.

Mr. Solis stated there is an update. Code Enforcement met onsite with Building Official Rick Madrid and the property owner. Mr. Madrid advised approved plywood covering for approved areas but requested the property owner to call Building Inspections for a Final before placing weather covering and siding. The wash rooms also had repairs being made, and Mr. Madrid observed that the saw blade used to remove the siding from the wash room had cut $\frac{3}{4}$ into the studs. He also instructed Mr. Smith to replace the studs in units 2 and 3. In addition the cinder block used to support the Unit 2 washroom was not up to Code, and unit 1 washroom appeared to need an additional support. The Building Official also advised the property owner that some sort of ventilation needs to be provided for each washroom, preferably a window. On October 22, 2015, Code Enforcement observed some siding on the front of the structure had been repaired. The number 3 accessory is the only accessory that is needed to be approved for siding. All other accessory had been approved for siding. Staff also observed paint had been added to accessory number 1.

Mr. Solis stated the Findings of Facts are #2,5,6,7,9, and 10. He stated that Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to continue to repair and obtain Certificate of Occupancy for each apartment. If substantial progress is not made by the next Building Standards commission meeting, then charges may be filed in Municipal Court for these code violations.

a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the public hearing.

Noel Smith, PO Box 4953, Victoria, Texas, 77903, presented a list to the commission of the repairs that he had made to the structure and all of the repairs that still needed to be done. He stated he would have the structure completed in 60 days. This letter is made a part of these minutes as "Attachment A".

Mr. McCoy then closed the Public Hearing.

b) Consideration of Orders to Issue

Mr. Mercer made a motion to accept staff recommendation for repair. Mrs. Thomas seconded the motion. Motion carried.

**2. 2006 JECKER
DONNA ODEM-NICHOLS & JOHN NICHOLS**

Isaac Solis stated that on June 1, 2015 Donna Odem-Nichols, contacted Code Enforcement to inform staff that she has purchased the property and plans to remodel the structure. On July 23, 2015 this structure was brought before the Building and Standards Commission, (BSC) and an order was placed on the property to pull proper permits and attend the meeting on October 22, 2015 for an update on the repairs. As of September 25, 2015 Code Enforcement observed the following repairs:

- Leveling to the entire structure
- Floor covering
- New studs
- New electrical - Electrical inspection passed on September 18.
- New plumbing lines
- Replaced windows and framing
- Properly secured

The Findings of Facts #2,9, and 10.

Mr. Solis stated there was an update. Code Enforcement arrived onsite with property owner Donna Odem-Nichols and Building Official Rick Madrid. Mr. Madrid supplied a document for "Required Exterior Repairs for Condemned Buildings and Dilapidated Structures" and explained that it is a good guide for them to follow as they repair the home. Some concerns with the interior studs were identified and Mrs. Nichols said that she will have her Contractor repair and fix these issues. He noted they also discussed window frames needing additional support in order to be up to code. The outside exterior was also inspected and there was minimal areas with rotted wood. Mrs. Nichols made notes of the areas to be repaired and said that these areas would also be relayed to the Contractor. On October 22, 2015, Code Enforcement observed new siding on the entire home had been completed, and new windows had been installed. All areas the Building Official pointed out are being addressed and/or repaired.

Mr. Solis stated that Code Enforcement recommends the structure to be declared unsafe and for the Commission to issue an order to continue repairs and obtain a Certificate of Occupancy.

(a) Public Hearing to Determine if Structure is Unsafe

Mr. McCoy opened the Public Hearing.

Donna Odem-Nichols, PO Box 5086, Victoria, Texas 77903, stated that Mr. Madrid gave her good instructions on what needed to be done to the home. She stated that she leveled the home, put on a new roof, put insulation on the inside and noted she would have the home complete in 60 days. Ms. Nichols then gave the commission a copy of the repairs she had done to the home. The list of repairs are made a part of these minutes as "Attachment B".

Mr. McCoy closed the Public Hearing.

(b) Consideration of Orders to Issue

Mr. Mercer made a motion to extend staff recommendation to continue repairs. Mr. Marshall seconded the motion. Motion carried.

3. 3708 N MAIN (STORAGE BLDG ONLY)

KIMBERLY BUCKERT BERTRAND ET AL, MICHAEL DAVID BUCKERT, ARTHUR G. PARKER, JR.

KERRY LOCKSTEDT, CARMEN I. LOCKSTEDT

Ms. Garcia stated on April 16, 2015 while inspecting other violations of high grass, weeds, junk, trash, brush, and bees at this property, Code Enforcement observed a hole on the west side of the storage building, which is behind the main residence at this location. The owner listed on the Victoria County Appraisal District lives in Lafayette, Louisiana and has attempted to work with Code Enforcement to comply; however, she is having legal issues regarding the home.

Ms. Garcia stated that Code Enforcement met on site with the owner's father, David Buckert on September 25, 2015. We observed that the storage building does have extensive damage on the west side of the structure. It appears that a tree may have fallen on the structure and a majority of the west wall has collapsed. The storage building also has an attached covered carport / porch area that also has extensive deterioration of the fascia and soffit. Mr. Buckert agreed that the structure needs to be demolished and the entire property abated. He stated that he would contact his children and get back in contact with Code Enforcement. Mr. Buckert contacted Code Enforcement the afternoon of September 25, 2015. He informed staff that he spoke with his children and they advised him to let the City take the necessary actions needed to abate everything on this property and assess the bills to the property. Due to the legal issues between the tenant residing in the main home and other heirs, the property owners cannot afford fees.

Ms. Garcia reported Code Enforcement received information from the Victoria County tax attorney clerk, that the suit filed for back taxes had recently been removed because someone paid the taxes. Code Enforcement is in the process of issuing abatement work orders for mowing, cleaning, and bee removal on this property.

Grace Garcia stated there was an update. She reported that Code Enforcement staff received a call from the brother in law Kerry Lockstedt stating that he wasn't making the meeting tonight but wanted to update us on their progress. He stated that they plan on repairing the structure and that they've received bids from two contractors and was quoted around \$6000 to repair. His expectation is 35-40 days to complete the repairs of the structure.

The Findings of Facts #1,2,3,4,5,6,7, and 10. Ms. Garcia stated that Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to repair or demolish the structure.

Mrs. Thomas stated the whole structure did not look good. Mr. Marshall noted that he had also seen the structure and it looked bad.

(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) Consideration of Orders to Issue

Ms. Strickland made a motion that the structure is unsafe. Mrs. Thomas seconded the motion. Motion carried.

Ms. Strickland made a motion that the structure is more than 50% damaged. Mrs. Thomas seconded the motion. Motion carried. There will be an automatic demolition.

**4. 904 S WILLIAM
JOSEFINA JAIME LOREDO & MARIA ALICIA JAIME LOREDO**

Ms. Garcia stated that the structure had been demolished.

**5. 1014 JULIUS
BERENICE MALDONADO**

Steven Solis stated that on August 11, 2015 Code Enforcement observed the structure had broken windows and unsecured doors. Staff also observed deterioration to the exterior wood members, floor boards, and window frames. The floors were unlevelled and there is broken sheet rock due to vandalism. Staff attempted to make contact through various methods of correspondence, but there has been no contact made from the property owner. As of October 22, 2015 there has been no progress made on securing the structure.

The Findings of the Facts are #2,4,7,9, and 10.

Mr. Solis stated Code Enforcement recommends 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. No one was present to speak. Mr. McCoy closed the Public Hearing.

(b) Consideration of Orders to Issue

Ms. Strickland asked if anyone drove by and checked the structure. Mr. Marshall stated he drove by the structure and stated it could be repaired. Ms. Thomas stated the structure did not look good. Mr.

Mercer stated the supporting members of the structure or 25% or more damaged due to deterioration. He stated on a \$17,000 house just to level it would be \$8,000.

Ms. Thomas expressed the concern if the owner could bring it up to code when they owe \$1,418.52 in taxes.

Ms. Fulgham asked if there were utilities to the house. Mr. Briones stated the utilities had been cut off. Mr. Marshall stated if you just secured the house, you would not be helping the issue at all. He stated the house will just sit there.

Mr. Mercer made a motion that the building was unsafe. Ms. Thomas seconded the motion. Motion carried.

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

Mr. McCoy stated that is an automatic demolition.

**6. 1409 EISENHOWER (CARPORT ONLY)
HEIRS OF GERALDINE RUTH CARTER RITTER, CRAIG S RITTER, LINUS B RITTER**

Ms. Garcia stated on August 18, 2015 Code Enforcement received a call from a concerned citizen reporting that the storage building at this location should be torn down because there are vagrants squatting on site. It was reported that the siding was pulled off by the vagrants to gain entry to the home. Upon inspection, Code Enforcement observed that no entry to the buildings had been made, but the carport attached to the storage building has major deterioration on the roof covering. There are holes on the roof, which clearly show water damage and wood rot. There are some areas on the roof that have completely rotted and are missing. The post to the carport and bracing remain sturdy, but there is water damage on some rafters, the fascia and soffit. Development Services provided record that a permit had been obtained in 1999 by the homestead owner to construct a 14 X 24, (336 sq ft) carport. The county tax attorney clerk confirmed that this property is under a tax suit and that there will be no problem if the structure is demolished as they will still be able to move forward with the suit.

Ms. Garcia stated the Findings of Facts are #2 and 7.

Ms. Garcia stated that Code Enforcement recommends the carport structure be declared unsafe and for the Commission to issue an order to repair or demolish.

(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) Consideration of Orders to Issue

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

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

D: ITEMS FROM BUILDING AND STANDARDS COMMISSION

Mr. McCoy asked if there was any kind of mechanism that once a structure is brought up and declared unsafe and issues are brought out, does the City share that information with the appraisal district. Ms. Champion stated no. Ms. Fulgham stated that the orders are filed at the Courthouse and noted the tax office should check those records. Mr. McCoy stated if the information could be shared that would be a nice gesture. Ms. Fulgham stated that they could email the final orders to the tax office.

E: ITEMS FROM STAFF

Grace Garcia asked the BSC members if they wanted to be reinstated for the next term. The members all agreed that they wanted to be reinstated.

Ms. Garcia also noted that Linda Champion was retiring. Mr. McCoy thanked Ms. Champion for all of her sound advice. Ms. Champion stated she has enjoyed her time with the City.

F: ADJOURNMENT

The meeting was adjourned at 6:30 p.m.

Approved: _____
Rawley McCoy, Chairman

Approved: _____
Jared Mayfield, Secretary
Director of Development Services