



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

**Thursday, February 4, 2016
5:30 p.m.**

MEMBERS PRESENT:

Sherri Strickland
Bobbye Thomas
Nick Hinojosa
Eric Mercer
Harold Cade

MEMBERS ABSENT:

Rawley McCoy, Chairman
Victor Marshall

STAFF PRESENT:

Grace Garcia, CEO Supervisor
Juan Garcia, CEO
Steven Solis, CEO
Isaac Solis, CEO
Thomas Gwosdz, City Attorney
Allison Marek, Assistant City Attorney
Rick Madrid, Building Official
Dora Gomez, Development Specialist
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:

The minutes of the October 22, 2016 meeting were approved as delivered.

Chairperson Rawley McCoy was not present at the meeting so Sherri Strickland presided over the meeting.

She asked if there was any information from the staff before the meeting starts. Grace Garcia stated the next BSC Meeting is July 21, 2016.

C: DISPOSITION OF THE FOLLOWING CASES:

**1. 511 S MOODY
BILLY OLIVER, PLATINUM HOME INVESTMENTS, LLC**

Grace Garcia stated on November 6, 2015 Code Enforcement conducted an inspection of this structure at the request of Building Official Rick Madrid. We observed some holes on exterior walls and portions of brittle stucco. We were unable to enter the interior of the structure.

Ms. Garcia noted that on December 12, 2015 Code Enforcement received the Inspection worksheet from Bldg Official Rick Madrid, containing the following inspection notes:

- 9/30/14 the building was proposed to be used as a Storage/Office bldg. Building Official Rick Madrid met with owner Billy Oliver and discussed the condition of the bldg. It was explained to Mr. Oliver that he would need to repair the exterior walls because they show deterioration thru the studs and the wall crumbles with hand pressure. Mr. Oliver was instructed by the Building Official to expose exterior walls 2-3ft high to determine repairs. Also noted were roof leaks at the building juncture. A six month timeline was given to accomplish repairs. Since that meeting all attempts to Contact the owner have failed and no progress has been made.
- January 14, 2016, Code Enforcement arrived on site and posted the Public Hearing Notice and Red tag notice on site. The structure has been painted and has signs of being occupied. Advertising signs for ABCO Roofing & Construction are posted on the building and the structure was painted.

The Findings of Facts are # 2,4,5,6, and 9. Ms. Garcia stated that Code Enforcement recommends the structure be declared unsafe and for the Commission issue an order to repair the structure as previously outlined by the Building Official.

a) Public Hearing to Determine if Structure is Unsafe

Ms. Strickland opened the Public Hearing.

Billy Oliver, 1515 Martin Luther King, Beaumont, Texas, 77701, stated when he purchased the property it had been vacant for several years. He stated that he came and spoke with Mr. Madrid. Mr. Madrid stated the water and sewer could not be hooked up until we got a permit to do repairs. He stated he did what Mr. Madrid requested him to do. Mr. Oliver stated that he wants to remodel the building. He stated it is not going to fall down and it does not leak anywhere. The building is secure where you cannot get into it. He stated Mr. Madrid stated they would hook the water up if the electrical inspection was okay. The electrical was inspected and it did pass. He then noted that was then able to get water and electrical hooked-up. He stated that he does store supplies in the building. Mr. Oliver stated he does want to remodel the front of the building. He reported that the Fire Marshall came out before he was able to open and was told he had to repair a few things. He stated he had to put a fire extinguisher in the building and had to put locks on the doors. He stated his plans are to repair the building. He stated he then pulled permits to put signs on his business. He stated he would like to buy the property on the side of the building and behind it.

Ms. Strickland asked Mr. Oliver if he disagreed with what the City's findings were. He stated he disagreed if they said the building was dangerous. He stated there is no water getting into that building. Mr. Madrid stated when the inspection was done there was obvious signs of a roof leak. He stated all that should have been taken care of during repairs on the inside of the building. Mr. Oliver stated the building does have some problems. He stated the foundation is good. Mr. Madrid stated the problem with the structure is the things that have not been done. He stated that is to repair what Mr. Oliver said he was going to repair. Mr. Madrid stated there are cracks on all of the walls. Mr. Oliver needs to find out why the walls are cracking, repair them and then put the stucco over the cracks. He stated Mr. Oliver was given some time lines and the City was allowing him to occupy the building and to hang signs. Mr. Madrid stated Mr. Oliver was supposed to come and talk to him to find out how to repair those walls. Mr. Madrid stated what is wrong with the foundation in the walls is that at the bottom sill is completely rotten and usually the studs are rotten about 6 or 8 inches up. Mr. Madrid stated he could rip the studs out with his hand. Mr. Madrid stated the building is in a deteriorated condition, it does not meet code and it needs to be repaired or it will just get worse. He stated the building is just band-aided and it will just get back to where it was before because we are not addressing the structural part of it. He stated we need to get into it and expose from 18 inches to 2 foot and found out how we need to repair all of that so the walls will quit deteriorating so the structure can be repaired.

Mr. Mercer stated our job is to determine if the building is safe or not. Mr. Madrid stated if the building meets certain criteria it can be considered unsafe. He stated it is in deteriorated shape and it is an eyesore and he stated later on it will be in front of this board.

Thomas Gwosdz, City Attorney stated the first determination this board has to make is whether the building is safe or not. He stated you use the Staff's recommendation and their findings in order to make that determination. He stated what we appear to have here today is a factual dispute between the property owner and staff as to whether or not the building is unsafe. He stated that Mr. Oliver needs to look at the findings of facts that have been made and then the committee needs to make a decision as to whether or not you agree with the findings of the facts and if the building is safe or unsafe.

Mr. Oliver stated his intention here is he wants to repair the building. He stated he wants to do everything possible to make the building safe. He stated he wanted to work with the City and noted he wanted to remodel the building.

Mr. Madrid stated the work is not getting done. He stated that the building is unsafe. He stated if the bottom seals are gone, that is what anchors the building down and the building is in the flood zone. Mr. Madrid stated that the structure needs to be repaired. Mr. Mercer asked Mr. Madrid what he would like this committee to do. Mr. Madrid stated he would like some timelines that Mr. Oliver needs to follow.

Ms. Strickland closed the public hearing.

b) Public Hearing to Determine if Structure is Unsafe

Mr. Mercer made a motion that the building is unsafe. Mr. Hinojosa seconded the motion. Motion carried.

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

c) Consideration of Orders to Issue

Mr. Cade made a motion that the owner start repairs within 90 days and submit a detailed plan to the Development Center and obtain a permit. If the repairs are not completed in 90 days the owner must return to the next Building and Standards Meeting (July 21, 2016). Mr. Mercer seconded the motion. Motion carried.

2. 703 FORREST (705)

GEORGE VELASQUEZ ETUX, ROSIE YBARRA VELASQUEZ, INTERNAL REVENUE SERVICE, ATTORNEY GENERAL, EXCALIBUR II LLC

Mr. Solis stated that on October 30, 2015 Code Enforcement observed the deteriorated roof in need of complete replacement. Deteriorated rafters are especially visible on the side of the home including the interior ceilings which are also water damaged due to lack of roof covering. Holes in the roof has caused weather damage to the fascia and there are also broken and unsecured windows.

Mr. Solis noted on December 12, 2015 we received an office visit from the property owner, Mr. Velasquez. He stated that Contractor Jose Leal would be going by to look at the structure to give an estimate for the repairs.

Mr. Solis stated on January 15, 2016 we received another office visit from the property owner Mr. Velasquez. He was inquiring if there is anything he can do on this structure to avoid it from being torn down. Mr. Velasquez was provided a Building and Standard Commission, (BSC) Detailed Plan packet to fill out for all the repairs that need to be performed to the structure. It was explained to Mr. Velasquez that the envelope of the structure needs to be repaired/secured from all elements and then the inside can be repaired as long as proper permits are obtained. It was also explained that if he needs more than 90 days to repair the structure, he must provide a detailed plan to the board members.

Mr. Solis stated today at 10:09 a.m., we observed all windows had been boarded and secured. No progress on the repairs to the roof or structure. Yesterday, on February 3, 2016, the property owner pulled a permit for repairs. Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to demolish.

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

(a) Public Hearing to Determine if Structure is Unsafe

Ms. Strickland opened the public hearing.

George Velasquez, 708 E Church, stated he took pictures yesterday and then presented a plan to the committee. He stated he plans to remodel the structure. He stated no one can get into the structure and the floor is still good. He stated he is going to put on a new metal roof. He also noted he had his permits and license to start repair.

Ms. Strickland then closed the public hearing.

Mr. Gwosdz stated you can table this and take it up at the next meeting to see if there is any progress on the structure. He stated he would encourage the committee asked the Code Enforcement Staff about that and if they think the building is likely to endure the spring. He stated if the staff thinks it is in an unsafe condition, then you may want to take action now. Ms. Strickland stated she thinks the owner has a great plan. She stated if the owner follows his plan she feels it would be fine.

(b) Consideration of Orders to Issue

Mr. Mercer made a motion that the structure is unsafe. Mr. Cade seconded the motion.

AYES: Thomas, Mercer, Cade

NAYES: Hinojosa

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

Mr. Mercer made a motion that the owner follow the time frame of the detailed plan for repairs that was submitted. The owner must communicate with Development Services on the progress of repairs. Mr. Cade seconded the motion. Motion carried.

3. 1605 GOODWIN

NCS PROPERTIES INC, VOLUNTEERS OF VICTORIA INC (FKA MILLENNIUM HOUSING, INC), BAYVIEW LOAN SERVICING LLC

Mr. Briones 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.

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 hand out for repairs of dilapidated structures. Also discussed were the repairs to the numerous dilapidated housing conditions.

On October 22, 2015 this structure was presented for a third time to the Building and Standards Commission. The Board accepted Staff recommendation of the structure to be declared unsafe and for the Commission to issue an order to continue to repair and return to the next BSC Meeting.

On January 14, 2016 Code Enforcement observed repairs to wash rooms and siding had been completed, but there has been no progress in repairing the roof.

Mr. Briones stated that the Findings of the Facts are #2,5,7, and 10.

Mr. Briones stated that Building Official Rick Madrid met with the property owner's wife. He stated that the siding, windows and exterior have all been approved. The wash rooms, roof areas that need repair, decking and entire replace of roof covering the structure is required. Mr. Briones stated that Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to continue repairs.

(a) Public Hearing to Determine if Structure is Unsafe

Ms. Strickland opened the Public Hearing.

Cindy Smith, 417 Stehle Road, Victoria, Texas, stated that she pulled the permit a week ago to start with the wash room roof and then the other roof. Ms. Strickland asked the property owner if they have ever submitted a plan. She stated her husband typed one out he was going to do last year. The owner stated that they were going to do the windows and siding first before they did any of the other repairs. Ms. Garcia stated everything has been approved but the roof.

Ms. Thomas asked Ms. Garcia when the first time was Mr. Smith came before the board. Ms. Garcia stated April 23, 2015.

Mr. Mercer asked how long they would need to complete the entire roof. Ms. Smith stated by the meeting in July.

There being no more comments, Ms. Strickland closed the public hearing.

(b) Consideration of Orders to Issue

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

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

Mr. Mercer made a motion that the roof repairs need to be completed up to City Code by next Building and Standards Meeting (July 21, 2016). If not completed by then, the building will need to be vacated until proper repairs can be made. Ms. Thomas seconded the motion. Motion carried.

**4. 1602 ALVIN
MATTIE TODD c/o MEL M ALLEN, MARGIE GIRDY, JOHNNY MAC TODD**

Steven Solis stated on June 4, 2015 Code Enforcement observed yellow caution tape around the structure. Smoke and fire damage was visible to the front siding of home directly under the fascia of the roof. We walked around to the back side of the home facing S Laurent and observed heavy fire damaged. We determined this was the possible point of origin of fire. All windows and doors have been secured.

On May 5, 2015, we received the Fire report, the following are excerpts from the report:

- Victoria Fire Department arrived to find a single story, single family dwelling with fire and smoke at the rear of the building.
- The fire created its own vent hole in the rear of the structure.
- The dining room is listed as the area of fire origin.
- Heat source, item first ignited, type of material first ignited, and factor contributing to ignition are all listed as undetermined.

As of January 14, 2016 there has been no progress.

Mr. Solis stated the Findings of Facts are # 1,2,5,7,8,9, 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 Unsafe

Ms. Strickland opened the Public Hearing. No one was present to speak, the public hearing was then closed.

(b) Consideration of Orders to Issue

Ms. Thomas made a motion that the structure is unsafe. Mr. Cade seconded the motion. Motion carried.

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

The structure will be demolished.

**5. 203 MARVELLE (INCLUDING ACCESSORIES)
ARABELA CEDILLO, AREBELA S CEDILLO, LVNV FUNDING LLC, AMANDA AGUIRRE**

(a) Public Hearing to Determine if Structure is Unsafe

(b) Consideration of Orders to Issue

Grace Garcia stated on November 16, 2015, Code Enforcement observed deteriorated front paneling on the home. The foundation had signs of shifting and there was damage on the roof at the rear and south side of the home. The exterior envelope of the structure needed repair where the siding, window trims, porches, sills, and girder (beam) are deteriorated and possibly termite infested. There are accessory structures on site which also have foundation, roof, and siding deterioration. Due to legal issues listed below, the structure has not been repaired and the property is not being maintained.

- May 24th 2014 - Code Enforcement presented this structure before the Building and Standard Commission, (BSC).
- The appraised value of this property in 2014 was \$17, 670 (Homesite Value); \$980 (Land)=\$18,650; but the current value is now assessed at \$40,530 (Homesite Value); \$980 (Land)=\$41,510.
- The building was declared unsafe and an order was issued to Secure and obtain proper permits within fourteen (14) calendar days (August 7, 2014). The structure was secured within fourteen days but no permits obtained.
- The property owner's granddaughter, Lisa Rodriguez, was present at the meeting and informed she retained a lawyer to have the title switched into her and her husband's name and would then began repairs.
- August 8, 2014, Code Enforcement received a call from Mr. Rodriguez informing there is another heir (cousin), and he is refusing to sign the property transfer

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

Ms. Garcia stated that Code Enforcement recommends the structure be declared unsafe and the Commission issue an order to demolish including the accessory structure.

(a) Public Hearing to Determine if Structure is Unsafe

Ms. Strickland opened the Public Hearing. No one was present to speak. Ms. Strickland closed the Public Hearing.

(b) Consideration of Orders to Issue

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

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

The structure will be demolished.

**6. 2402 BRAZOS (ACCESSORY ONLY)
KEVIN R GRAHMANN, KEVIN GRAHMANN, CPL EASEMENT, HOUSTON PIPE LINE COMP,**

Mr. Briones stated on March 26, 2015 Code Enforcement observed an accessory structure in the back yard with no roof covering and rotting beams and joists.

On January 5, 2016 Code Enforcement received a phone call from property owner Kevin Grahmann and Mr. Grahmann stated he would have the accessory structure demolished.

As of January 15, 2016 there has been no progress.

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

Mr. Briones stated that Code Enforcement recommends the accessory structure be declared unsafe and for the Commission to issue an order to demolish.

(a) Public Hearing to Determine if Structure is Unsafe

Ms. Strickland opened the Public Hearing. No one was present to speak. The Public Hearing was closed.

(b) Consideration of Orders to Issue

Mr. Mercer made a motion to declare the building unsafe. Mr. Hinojosa seconded the motion. Motion carried.

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

The structure will be demolished.

**7. 1805 POLK
MICHAEL G RIVERA, NOELIA ANDRADE**

Steven Solis stated that on October 15, 2016, Code Enforcement observed that the structure had major fire damage. The fire damage appeared to be more than 50% of the interior of the home. The roof of the garage was severely damaged and the structure was unsecured. On December 3, 2015, Code Enforcement observed all but the

roof, which is covered by a tarp, had been secured. A permit was posted on the window for remodel and repair which expired October 24, 2016.

On January 14, 2016, there had not been any repairs to the structure.

Mr. Solis stated that today at 1:31 pm they went to the property and observed the property owner working on roof repairs on the northwest side where it had fire damage. The front door was fully secured and able to lock; windows that were broken out were replaced and are able to close and are secured. The roof repairs are temporary just to secure and will take off and repair it properly. Steven Solis stated the property owner stated they will start working on the inside repairs first and work their way out when ready to complete. The property owner obtained a contractor license to soda blast the smoke damage frame. All doors are fully secured. Code Enforcement recommends the structure be declared unsafe and for the Commission to issue an order to continue repairs for the duration of the permit.

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

(a) Public Hearing to Determine if Structure is Unsafe

Mr. Michael Rivera, 1807 E Polk, stated that the fire started in October 3, 2015. He stated that there were tenants there at the time and the Fire Marshal found a bad cord. He stated what is slowing the process down is that he could not get insurance on the house. He stated he did get liability on the home. He stated he spent two months just cleaning the house. He stated he found a company that soda blasts. He stated it neutralizes the smell plus it takes the soot off of the wood. It then exposes the wood that is good.

Ms. Strickland asked Mr. Rivera if he had a plan. He stated he does not have a list to hand out, but he does have a plan. He then presented his plan to the committee. Mr. Mercer asked Mr. Rivera if he could finish the home before the permit ends in October. He stated he could do the wiring and get it sheet rocked up, but did not know if he would be completed with the fixtures. Mr. Mercer stated as long as the outside of the structure is secure and the building is safe that is the concern of the committee. Mr. Solis stated the reason the structure is unsafe is because of the temporary repair on the roof. Mr. Solis stated everything else is secured.

Mr. Mercer asked Mr. Madrid if the structure looked safe. Mr. Madrid stated yes.

Ms. Strickland then closed the public hearing.

(b) Consideration of Orders to Issue

Mr. Mercer made a motion to declare the building safe and continue with the work. Mr. Hinojosa seconded the motion. Motion carried.

**8. 5003 KINNEY (MOBILE HOME ONLY)
CHARLES A & JOSEPHINE A MC CLAUGHERTY, CHARLES A MC CLAUGHERTY SR.,
JOSEPHINE A TAM MC CLAUGHERTY, MIDLAND FUNDING LLC, VICTORIA COUNTY TAX
ASSESSOR, EASEMENTS: CPL**

The structure has been demolished.

D: ITEMS FROM BUILDING AND STANDARDS COMMISSION - None

E: ITEMS FROM STAFF

Ms. Garcia introduced the new Assistant City Attorney, Allison Marek.

F: ADJOURNMENT

The meeting was adjourned at 7:35 p.m.

Approved: _____
Sherri Strickland, Vice-Chairperson

Approved: _____
Jared Mayfield, Secretary
Director of Development Services