



**Agenda
Building Standards Commission**

**4403 Hwy 3
Dickinson, TX 77539**

Monday, February 6, 2023 at 7:00 PM

1. CALL TO ORDER AND CERTIFICATION OF A QUORUM

2. ANNOUNCEMENTS AND PRESENTATIONS

3. PUBLIC COMMENTS

Members of the public are invited to give comments at this time, lasting not longer than 3 minutes. Comments may be general in nature or may address a specific agenda item, and should be directed at the entire Commission, not individual members of Commission or staff. Any speaker making personal attacks or using vulgar or profane language shall forfeit his/her remaining time and shall be seated. In compliance with the Texas Open Meetings Act, The Commission may not deliberate.

4. CONSENT AGENDA

The following items are considered routine and will be enacted by one motion. There will not be a separate discussion on these items unless a Commission member requests, in which event the item will be removed from the consent agenda and discussed after the consent agenda.

4.A Consideration and possible action on approving the minutes of the Building Standards Commission Meeting of **December 21, 2022**.

4.B Consideration and possible action on approving the minutes of the Building Standards Commission Special Meeting of **January 3, 2023**.

5. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARINGS

6. ACTION ITEMS FOR CONSIDERATION

6.A Discussion and possible action regarding Order No. 2022-1221-003 and the property and structures located at 406 DEATS RD, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 103 (0-2) DICKINSON ADDN D & LOTS 1 THRU 15,20,21 & PT OF LOTS 16,17 & 18 TALL.

7. **ADJOURNMENT**

CERTIFICATE OF NOTICE

THIS IS TO CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD OF CITY HALL OF THE CITY OF DICKINSON, TEXAS, ON OR BEFORE THE 3RD DAY OF FEBRUARY 2023 PRIOR TO 6:00 P.M. AS WELL AS THE CITY'S PUBLIC INTERNET WEBPAGE, WWW.DICKINSONTEXAS.GOV AND WAS POSTED IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, CHAPTER 551, GOVERNMENT CODE.

 - FEB 3 - 2023

HERMAN MEYERS, Chief Building Official
Community Development

NOTE: In compliance with the Americans with Disabilities Act, this facility is wheelchair accessible and accessible parking spaces are available. Requests for special accommodations or interpretive services must be made at least 48 hours prior to this meeting. Please contact the City Secretary's Office at 281-337-6217 or by email at aurps@dickinsontexas.gov.

Dickinson Building Standards Commission
Agenda Item Data Sheet
4.A

MEETING DATE: February 6, 2023

TOPIC:	Consideration and possible action on approving the minutes of the Building Standards Commission Meeting of December 21, 2022 .
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BACKGROUND:

RECOMMENDATION:

ATTACHMENTS:	<ul style="list-style-type: none"> • 2022.12.21_BSC Minutes.pdf
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FUNDING ISSUES:

FINANCE VERIFICATION OF FUNDING:

SUBMITTING STAFF MEMBERS: Yvonne Briscoe	CITY MANAGER APPROVAL:
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ACTIONS TAKEN		
APPROVAL	READINGS PASSED	OTHER
NO		



MINUTES

MINUTES OF THE BUILDING STANDARDS COMMISSION

December 21, 2022

The Building Standards Commission met at 7:00 P.M. on **Wednesday, December 21, 2022**, located at 4403 Highway 3, Dickinson, Texas. The meeting was held for the purpose of considering the following items:

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM

Chairperson Reggie Taylor called the meeting to order at **6:03 P.M.**

Ms. Briscoe called roll and a quorum was verified.

Commissioners present were as follows: Reggie Taylor, Susan Wilcox, Matt Maggiolino, James Ayers, Garland Copelin, Travis Magliolo, R.E. Davis.

ITEM 2.) ANNOUNCEMENTS AND PRESENTATIONS

ITEM 3.) PUBLIC COMMENTS

Members of the public are invited to give comments at this time, lasting not longer than 3 minutes. Comments may be general in nature or may address a specific agenda item, and should be directed at the entire Commission, not individual members of Commission or staff. Any speaker making personal attacks or using vulgar or profane language shall forfeit his/her remaining time and shall be seated. In compliance with the Texas Open Meetings Act, The Commission may not deliberate.

Mr. Justin Pruitt advised the agenda includes a public comment section and public hearing section. This is a general comment period. The public hearing is for a specific item on the agenda.

There being no one desiring to speak, public comments were skipped.

Chairperson Reggie Taylor changed the order of the agenda. In order of consideration: 5, 4A, 4B, 4D, 4C.

ITEM 5.) CONSENT AGENDA

The following items are considered routine and will be enacted by one motion. There will not be a separate discussion on these items unless a Commission member requests, in which event the item will be removed from the consent agenda and discussed after the consent agenda.

5A. Consideration and possible action concerning approval of the **September 26, 2022**, Building Standards Commission meeting minutes.

Garland Copelin motioned to Approve, and Travis Magliolo seconded the motion.

VOTE:

7 AYES (James Ayers, Garland Copelin, Travis Magliolo, Reggie Taylor, Susan Wilcox, Matt Maggiolino, R.E. Davis)

0 NAYS

MOTION PASSED

ITEM 4.) ACTION ITEMS FOR CONSIDERATION

4A. Consideration and possible action to approve electing a Chairperson, Vice Chairperson, and Secretary for Building Standards Commission.

Travis Magliolo motioned to nominate Reggie Taylor as Chairperson, and Matt Maggiolino seconded the motion.

VOTE:

7 AYES (James Ayers, Garland Copelin, Travis Magliolo, Reggie Taylor, Susan Wilcox, Matt Maggiolino, R.E. Davis)

0 NAYS

MOTION PASSED

Matt Maggiolino motioned to nominate Matt Maggiolino as Vice Chairperson, and Travis Magliolo seconded the motion.

VOTE:

7 AYES (James Ayers, Garland Copelin, Travis Magliolo, Reggie Taylor, Susan Wilcox, Matt Maggiolino, R.E. Davis)

0 NAYS

MOTION PASSED

Reggie Taylor motioned to to nominate Susan Wilcox as Secretary, and James Ayers seconded the motion.

VOTE:

7 AYES (James Ayers, Garland Copelin, Travis Magliolo, Reggie Taylor, Susan Wilcox, Matt Maggiolino, R.E. Davis)

0 NAYS

MOTION PASSED

- 4B. Consideration and possible action for a standard meeting date and time for Building Standards Commission.

Travis Magliolo motioned to set the Building Standards Commission standard meeting date as the first Monday each month at 7:00 P.M., following the Board of Adjustment standard meeting, and Susan Wilcox seconded the motion.

VOTE:

7 AYES (James Ayers, Garland Copelin, Travis Magliolo, Reggie Taylor, Susan Wilcox, Matt Maggiolino, R.E. Davis)

0 NAYS

MOTION PASSED

- 4D. Public Hearing followed by discussion and possible action regarding issues of immediate and serious danger to life or property at 406 DEATS RD, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 103 (0-2) DICKINSON ADDN D & LOTS 1 THRU 15,20,21 & PT OF LOTS 16,17 & 18 TALL TIMBERS SUB.

Chairperson Reggie Taylor opened the Public Hearing at **6:15 P.M.**

Mr. Justin Pruitt advised that the public hearing rules may state three minutes, but some of the content may take longer. The Commission may suspend this rule to allow for additional comment time.

Staff Presentation

Mr. Herman Meyers, City of Dickinson Chief Building Official, provided the Staff Presentation.

Mr. Theo Melancon, City of Dickinson City Manager, provided additional information on the emergency order that was previously issued. The city has engaged in productive conversations with the property owner to relocate residents, secure the property, and establish a plan to move forward for redevelopment.

Property Owners or Designee Presentation

Ms. Martye Kendrick, on behalf of Greenburg Traurig (property owners' legal representation), began the Property Owners or Designee Presentation. Ms. Kendrick discussed the following items:

- New Team
- Building Rapport
- Tenant Transition
- Evolved Development Plan
- Financial Support

Mr. Ahmet Kalkan, on behalf of Creekside Ownership, continued the Property Owners or Designee Presentation. Mr. Kalkan discussed the following items:

- Tenant/ Landlord Relations
- Tenant Transition Plan
- Commitment to Residents

Mr. Brian Scott, on behalf of Scott Ford Construction, continued the Property Owners or Designee Presentation. Mr. Scott discussed the following items:

- GC Experience
- FEMA/ Licensing/ Permitting/ Boiler Update
- Chief Building Official Inspection and Related Reports
- Fire Marshal Inspection Report

Mr. David Wallace, on behalf of Economic Development Consultant, continued the Property Owners or Designee Presentation. Mr. Wallace discussed the following items:

- Creekside and City Partnership
- Redevelopment Plan
- Lender Support

Ms. Martye Kendrick asks that the Commission table or reconsider the orders to allow additional time to remedy the property issues. Timeframe needs to be reasonable for residents to transition. This concluded the Property Owners or Designee Presentation.

Public Comments

Mr. Sean Skipworth, City of Dickinson Mayor, thanked the commission for their efforts. Many residents spoke to City Council and would like to speak on their behalf. Occupancy of the structures is not safe and needs to be resolved for the resident's benefit. Mayor Skipworth asks the Commission not to grant long extension of time for relocation of residents. Some efforts are being made. The consultants are looking forward, but the owner needs to end the games and rhetoric and work constructively. Leases continued to be signed after the order was issued, we did not receive an abatement plan within the required 90 days, and no action to demolish the structures. WE can work with them but Mayor Skipworth asks the Commission to apply pressure so we can build trust and move forward.

Ms. Yvonne Briscoe, City of Dickinson Senior Planner, read citizen comments sent to the city.

Property Owners or Designee Rebuttal

Mr. David Wallace, on behalf of Economic Development Consultant, began the Property Owners or Designee Rebuttal. Mr. Wallace stated there is empathy for the residents and want to ensure a smooth transition for the residents. The prior management and general contractor are no longer there. A new team has been established and are focused on a path forward.

Ms. Martye Kendrick, on behalf of Greenburg Traurig (property owners' legal representation), expressed concerns with the hot water and had Scott Ford Construction engaged immediately.

Mr. Brian Scott, on behalf of Scott Ford Construction, stated if the plan is to move forward with vacation of the property, the boiler situation digresses. If the tenants remain on the property progress was made on the boiler very quickly after meeting with the city. Production and availability of a new boiler will take 12 - 16 weeks. Effort has been made and was not unacknowledged.

Staff Rebuttal

Mr. Theo Melancon, City of Dickinson City Manager, provided the Staff Rebuttal. City Council has set aside funds to assist with the relocation of residents. MI Lewis is coordinating those funds and has already received approx. 100 applications. We would like vacation of the property completed by December 31, 2022. The city has created a Tax Incentive Reinvestment Zone for I-45 to help with finding to redevelop properties and increase values. We have an opportunity to shut the property down, regroup, and create a development plan. Staff requests an order to vacate, date for the fencing, to allow legal to obtain agreement on a standstill agreement.

Mr. Ahmet Kalkan, on behalf of Creekside Ownership, responded he was out of the country. The property has had sewer backups multiple times and were alleviated each time.

Commissioner Garland Copelin inquired if the assembled team have done similar projects in the coastal area and windstorm area.

Mr. David Wallace, on behalf of Economic Development Consultant, replied he has worked with Mr. Kalkan on other projects in the Galveston area.

Commissioner Garland Copelin inquired to obtain TDI insurance on structures what engineering firm is being worked with.

Mr. Brian Scott, on behalf of Scott Ford Construction, added he familiar with coastal requirements.

Commissioner Garland Copelin inquired since the orders were not followed, including an asbestos survey, why would we not order demolish all structures.

Mr. Brian Scott, on behalf of Scott Ford Construction, we currently only have speculation. Until a review is completed ability for rehabilitation cannot be determined.

Commissioner Garland Copelin stated the plans are what was requested previously and not provided in the time allowed.

Mr. Brian Scott, on behalf of Scott Ford Construction, stated previous contractors were unable to complete the requested processes. The city is requiring full documentation.

Commissioner Garland Copelin inquired if based on costs of the project if the property will be required to meet current code standards.

Mr. Brian Scott, on behalf of Scott Ford Construction, confirmed significant number of improvements will need to be brought up to code.

Commissioner Garland Copelin inquired at what threshold are improvement costs feasible versus demolishing the structures.

Mr. Brian Scott, on behalf of Scott Ford Construction, stated this is a decision for the property owner and his lenders.

Mr. David Wallace, on behalf of Economic Development Consultant, requested and met with the general contractor to complete a draft of deliverables for the city. In a meeting with city staff, the draft was said to be insufficient. The owner then changed to a new general contractor.

Commissioner Garland Copelin inquired given that City Council has granted funds to assist with relocation of the residents and the ability for the redevelopment to be added to the TIRZ, what is the proposed cost to the city to move forward.

Mr. Theo Melancon responded the redevelopment plan will change cost to the city based on the economic impact it will provide. Added value is required to participate in the TIRZ. Assistance from the EDC and City Council has not been determined. The added value created by the development would be the funds in question.

Commissioner Garland Copelin expressed concern with the owner benefiting financially from the city.

Mr. Theo Melancon responded the owner has developed a team to work with the city to lift the burden of the city. We now have an opportunity before us.

Commissioner Garland Copelin inquired if the subject property is in a newly classified flood zone. Part of the proposed development will include raising structures out of the flood zone.

Mr. Theo Melancon responded most properties have been reclassified since Harvey. There are thresholds that need met that will determine requirements.

Commissioner Garland Copelin inquired the percentage of units for low income. Residents remain there due to the lower costs of rent.

Mr. Theo Melancon responded a redevelopment plan has not been created. No discussion of subsidies or tax credits by the city have been discussed. The property is currently rented at market rates. Rents may increase. The immediate concern is the health and safety of citizens.

Mr. Justin Pruitt discussed the original order included providing a structural inventory and assessment of occupied buildings by licensed professional and demolishing unoccupied buildings.

Commissioner Garland Copelin expressed concern regarding not having control of future.

Mr. Theo Melancon responded if a development agreement is accepted by City Council, benchmarks and requirements must be part of the agreement. If at any time that agreement is broken and substandard structures still exist, the Commission would have the ability to move forward with demolition orders.

Commissioner Susan Wilcox stated the property was purchased after Harvey and appears to uncared for. The owner blames to manager and others. Commissioner Wilcox inquired why care now, when the Mayor and City Manager are paying to relocate residents to keep out of harm's way.

Mr. Ahmet Kalkan, on behalf of Creekside Ownership, responded all renovations completed were interior to the units. Miscommunication and lack of communication has been a major concern and have now stepped in and is fully involved.

Commissioner Susan Wilcox inquired where most residents reside, upstairs or downstairs.

Mr. Ahmet Kalkan, on behalf of Creekside Ownership, responded many buildings are one story and some are two story. Majority of residents are on the ground floor.

Chairperson Reggie Taylor inquired if the owner employs a maintenance supervisor to ensure standards are met and report problems.

Mr. Ahmet Kalkan, on behalf of Creekside Ownership, responded when refer to property management, included is all property employees. He has been working with a general contractor and was not aware of issues. The new maintain supervisor has been instructed to check on the property every other day.

Commissioner James Ayers expressed concerns that did not have adequate oversight of business. The condition of the property is embarrassing.

Commissioner Travis Magliolo stated the members on the Commission are residents of the community. He has confidence with the assembled team but not with him as owner. Commissioner Magliolo inquired how funding is being locked in and secured with the difficulties going forward.

Mr. Ahmet Kalkan, on behalf of Creekside Ownership, stated he has an established relationship with a lender that has been working to create a development with added value.

Commissioner Susan Wilcox requested Mayor Skipworth advise if the Commission is allowed to make a decision, what would be Council's obligation to ensure the property is what the city wants.

Mayor Sean Skipworth responded, a development agreement with TIRZ and funding agreements would be placed to codify in legal documents to ensure compliance.

Commissioner Travis Magliolo expressed concern to improve the city. It is in our best interest to give them a shot.

Commissioner Susan Wilcox stated she lived there in the mid 1970s and the property was nice then. We need to protect our citizens and children of the community and we will be watching carefully.

Commissioner R.E. Davis expressed his desire to have the property vacated by December 31st, fenced by January 5th, vacated buildings east of the tributary demolished, and the owner work with city to create a redevelopment plan.

Chairperson Reggie Taylor also wants to see deadlines considered and acted on if not met. There is a need to move residents to safe place.

Mr. Theo Melancon stated the need to set realistic deadlines. The ability to obtain fencing and other contractor issues have already been.

Mr. David Wallace, on behalf of Economic Development Consultant, stated procurement sometimes takes 90 days. They can have contract and purchase order for materials by January 5th with a fencing company. Vendors need to resume operations and wants the opportunity to succeed with the deadlines being set.

Commissioner Travis Magliolo recommend a deadline of January 31st. This is a very doable date.

Mr. David Wallace, on behalf of Economic Development Consultant, believes January 5th a contract can be put in place. The team is committed to provide a plan with deadlines by December 31st.

Mr. Justin Pruitt inquired the date of the set monthly meeting and what date is set for a January meeting.

Ms. Yvonne Briscoe confirmed the standard meeting date was set for the first Monday each month. February 6th would be the standard meeting date. The first Monday is January 2nd which is a holiday for the City and a special meeting date has been set for Tuesday, January 3rd.

Mr. Justin Pruitt requested confirmation that the request to not have condemnation or abandonment orders and inquired potential issues if the Commission takes action to order the vacation of the property by December 31st.

Mr. David Wallace, on behalf of Economic Development Consultant, replied anything of record is a concern with the lender.

Commissioner Garland Copelin inquired the status of the emergency order. The Commission was not party to the emergency order.

Mr. Justin Pruitt inquired what guarantee would the city have that the vacation would occur by December 31st. The item before the Commission is a brand-new item and does not relate to the previously filed orders. Additional orders could detrimentally affect the property.

Mr. David Wallace, on behalf of Economic Development Consultant, stated the requests to have a tentative schedule and residents vacated by December 31st.

Chairperson Reggie Taylor inquired what guarantee that residents can relocate in such a short period of time.

Mr. Ahmet Kalkan, on behalf of Creekside Ownership, responded about half the property have already relocated. Approximately 100 residents are looking to move.

Mr. Theo Melancon voiced concern with waiting too long. The residents do not have access to hot water. There is added concern with the freeze coming. The living conditions are unsafe.

Mr. Ahmet Kalkan, on behalf of Creekside Ownership, suggested a hard deadline of January 15th for tenant relocation.

Mr. Theo Melancon stated MI Lewis has been heavily involved. Actions and decisions made by ownership has not built trust. The City has received calls that new residents have been added after emergency order. These actions must stop.

Commissioner Travis Magliolo reiterated his recommended deadline of January 31st. The situation is dire.

Mr. Johnnie Simpson, Board member for MI Lewis, stated MI Lewis is handling the application process, case management, access to food. There are other resources to assist with items needed. Additional organizations may also be brought in to assist.

Mr. David Wallace, on behalf of Economic Development Consultant, stated a standstill agreement and relocating the residents by December 31st understanding that there may be some stragglers and a hard deadline of January 15th.

Commissioner Matt Maggiolino suggests the Commission orders to vacate by December 31st with an update at the January 3rd meeting for where the property stands with the stragglers.

Chairperson Reggie Taylor expressed agreement.

Mr. Justin Pruitt stated we can take action to order and not file immediately. The order currently proposed is to vacate the property by December 31st and fence placed to secure the property by January 31st. Also build into the order that updates are provided each month at the regularly scheduled meeting. The Commission will be able to take further action if desired.

Mr. David Wallace, on behalf of Economic Development, expressed agreement with this proposed action.

Mr. Brian Scott, on behalf of Scott Ford Construction, inquired if possible, fencing prior to the deadline would cause any issues. Access would be granted for remaining tenants.

Commissioner R.E. Davis expressed concern with the property being unsecured and security of the property falling on the City.

Reggie Taylor motioned to to vacate the property by December 31st, property secured by January 31st, and require updates are provided each month at the regularly scheduled meeting, and Travis Magliolo seconded the motion.

VOTE:

7 AYES (James Ayers, Garland Copelin, Travis Magliolo, Reggie Taylor, Susan Wilcox, Matt Maggiolino, R.E. Davis)

0 NAYS

MOTION PASSED

- 4C. Discussion and possible action regarding City of Dickinson Building Standards Commission Order 2022-0926-001 and the abatement of substandard structures located at 406 DEATS RD, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 103 (0-2) DICKINSON ADDN D & LOTS 1 THRU 15,20,21 & PT OF LOTS 16,17 & 18 TALL TIMBERS SUB.

Mr. Justin Pruitt advised given action of the Commission on the previous agenda item; this item needs rescinded.

Matt Maggiolino motioned to rescind the order, and Travis Magliolo seconded the motion.

VOTE:

5 AYES (James Ayers, Travis Magliolo, Reggie Taylor, Susan Wilcox, Matt Maggiolino)

1 NAYS (Garland Copelin)

MOTION PASSED

ITEM 6.) ADJOURNMENT

Susan Wilcox motioned to Adjourn, and Travis Magliolo seconded the motion.

VOTE:

7 AYES (James Ayers, Garland Copelin, Travis Magliolo, Reggie Taylor, Susan Wilcox, Matt Maggiolino, R.E. Davis)

0 NAYS

MOTION PASSED

PASSED, APPROVED, AND ADOPTED this 6TH DAY OF FEBRUARY 2023.

Building Standards Commission, Chairperson

ATTEST:

HERMAN MEYERS, Chief Building Official

Dickinson Building Standards Commission
Agenda Item Data Sheet
4.B

MEETING DATE: February 6, 2023

TOPIC:	Consideration and possible action on approving the minutes of the Building Standards Commission Special Meeting of January 3, 2023 .
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BACKGROUND:

RECOMMENDATION:

ATTACHMENTS:	• 2023.01.03_BSC Minutes.pdf
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FUNDING ISSUES:

FINANCE VERIFICATION OF FUNDING:

SUBMITTING STAFF MEMBERS: Yvonne Briscoe	CITY MANAGER APPROVAL:
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ACTIONS TAKEN		
APPROVAL	READINGS PASSED	OTHER
NO		



MINUTES

MINUTES OF THE BUILDING STANDARDS COMMISSION SPECIAL MEETING Tuesday, January 3, 2023

The Building Standards Commission met at 7:00 P.M. on **Tuesday, January 3, 2023**, located at 4403 Highway 3, Dickinson, Texas. The meeting was held for the purpose of considering the following items:

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM

Chairperson Reggie Taylor called the meeting to order at **7:00 P.M.**

Ms. Marilyn Bellis called roll and a quorum was verified.

Commissioners present were as follows: James Ayers, Garland Copelin, Travis Magliolo, Reggie Taylor, Susan Wilcox, Matt Maggiolino, R.E. Davis.

ITEM 2.) ANNOUNCEMENTS AND PRESENTATIONS

ITEM 3.) PUBLIC COMMENTS

Members of the public are invited to give comments at this time, lasting not longer than 3 minutes. Comments may be general in nature or may address a specific agenda item, and should be directed at the entire Commission, not individual members of Commission or staff. Any speaker making personal attacks or using vulgar or profane language shall forfeit his/her remaining time and shall be seated. In compliance with the Texas Open Meetings Act, the Commission may not deliberate.

ITEM 4.) CONSENT AGENDA

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ITEM 5.) PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARINGS

ITEM 6.) ACTION ITEMS FOR CONSIDERATION

- 6.A Discussion and possible action regarding Order No. 2022-1221- 003 and the property and structures located at 406 DEATS RD, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 103 (0-2) DICKINSON ADDN D & LOTS 1 THRU 15,20,21 & PT OF LOTS 16,17 & 18 TALL TIMBERS SUB.

Commissioner Matt Maggolino inquired if the vacation of the tenants is done completely on the apartments as a part of the Commission order and the standard eviction process would be required if the order was not in place.

Mr. Justin Pruitt responded the order approved by the Commission December 21, 2022 included the property owners commitment to vacate the property. There is not a current City ordered vacation of the property. If the property is not vacated or something happens with the proposed development plan, the Commission, after the required public hearing could order the property vacated.

Chairperson Reggie Taylor inquired the number of residents remaining on the property.

Commissioner Travis Magliolo responded the report summary provided states eighteen (18) do not have confirmation and eight (8) are unwilling to vacate.

Commissioner Matt Maggolino stated under thirty (30) residents remaining is good progress.

Mr. David Wallace was added to the meeting virtually.

Mr. David Wallace provided an update for Creekside since the last meeting. The day after the previous meeting, a notice was placed on all tenants doors and an attempt to speak to the residents was made. A current move out schedule has been provided. As of December 31st, eight (8) tenants have indicated an unwillingness to move out. A second notice to vacate was sent December 31st. The property manager and MI Lewis Executive Director are working with the remaining residents in a professional and positive manner. Legal notice to vacate is not being pursued at this time due to the eviction process being the only avenue available at this time. Mr. Wallace requested Mr. Pruitt speak to Ms. Martye regarding status of the final orders and the stand still agreement. Compliance with the orders have been adhered to. Fencing will be completed by December 31st and are on track to meet the January 31st order deadline. The property is insured. Future plans are moving forward with the help of the Dickinson Economic Development Corporation; a timeline has been established and progress is being made. A Public Private Partnership is being considered and an initial meeting date set.

Mr. Justin Pruitt informed Mr. David Wallace concerning previous two vacate orders previously executed. While these previously filed orders can not be removed from the record, a notice of satisfaction of orders can be filed to nullify the previously filed orders.

Mr. Sean Skipworth, City of Dickinson Mayor, stated City administration has been in conversation with some residents regarding disputes with the management company and requested Mr. Wallace reach out to these residents. Mayor Skipworth will provide these contacts at a later time.

Mr. David Wallace agreed to personally address their concerns.

Commissioner Garland Copelin stated for developers to undertake a project of this magnitude there should be an expectation of additional revenues. Commissioner Copelin inquired when the costs to citizens of the city will be provided. He believes the owners of the property are guilty of criminal malfeasance or misfeasance and should not receive the benefit of city subsidies.

Mr. David Wallace responded this is a lengthy process that will require cooperation between the owner and City. An economic impact assessment will be performed including sources and uses of capital to create an economic impact statement that will outline the costs and benefits derived from the project. The Tax Increment Reinvestment Zone (TIRZ) requires growth in value and makes the funds available to be rebated to developer to fund assets or pay back bonds.

Commissioner R.E. Davis inquired if a resident refuses to vacate what actions is the owner or property management willing to take.

Mr. David Wallace responded they are hesitant to proceed with eviction. They will continue working with the owner's and city's attorneys to come to a resolution.

Commissioner R.E. Davis inquired if hard deadline has been established.

Mr. David Wallace responded with increased communications.

Commissioner Garland Copelin expressed disappointment in the lack of attendance of significant players at the meeting.

Mr. David Wallace addressed Commission concerns.

Commissioner R.E. Davis stated a representative of the team should be sufficient to provide future updates.

Mr. David Wallace responded providing information in writing, providing exhibits, seeing the actions taken, and ensuring the details are provided in the meeting minutes. Mr. Wallace expressed his commitment to attend all future meetings in person when possible.

Mr. Justin Pruitt informed the Commission that there is no action to be taken on this agenda item.

Chairperson Reggie Taylor inquired if there was any further discussion on the item.

ITEM 7.) ADJOURNMENT CERTIFICATE OF NOTICE

Travis Magliolo motioned to Adjourn, and Commissioner seconded the motion.

VOTE:

7 AYES (James Ayers, Garland Copelin, Travis Magliolo, Reggie Taylor, Susan Wilcox, Matt Maggiolino, R.E. Davis)

0 NAYS

MOTION PASSED

Chairperson Reggie Taylor adjourned the meeting to order at **7:42 P.M.**

PASSED, APPROVED, AND ADOPTED this 6TH DAY OF February 2023.

ATTEST:

Building Standards Commission, Chairperson

HERMAN MEYERS, Chief Building Official

Dickinson Building Standards Commission
Agenda Item Data Sheet
6.A

MEETING DATE: February 6, 2023

TOPIC:	Discussion and possible action regarding Order No. 2022-1221-003 and the property and structures located at 406 DEATS RD, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 103 (0-2) DICKINSON ADDN D & LOTS 1 THRU 15,20,21 & PT OF LOTS 16,17 & 18 TALL TIMBERS SUB.
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BACKGROUND:

RECOMMENDATION:

ATTACHMENTS:

FUNDING ISSUES:
FINANCE VERIFICATION OF FUNDING:

SUBMITTING STAFF MEMBERS: Yvonne Briscoe	CITY MANAGER APPROVAL:
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ACTIONS TAKEN		
APPROVAL	READINGS PASSED	OTHER
NO		