



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

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.

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.


Building Standards Commission, Chairperson

ATTEST:



HERMAN MEYERS, Chief Building Official