1 The Building and Standards Commission of the City of Seabrook met on Wednesday, January 11, 2012 at 2 City Hall, 1700 First Street, Seabrook, Texas in regular session to consider the following agenda items. 3 4 5 THOSE PRESENT WERE: 6 SUE ELLEN LANGGARD **CHAIRMAN** 7 GAIL POSTON VICE CHAIRMAN 8 EDELMIRO MUNIZ (Absent) **MEMBER** 9 JOSEPH FARELLA **MEMBER** 10 JOHN DOLAN **MEMBER** 11 RICHARD NGUYEN ALTERNATE MEMBER 12 ROBERT DUNCAN (Excused Absence) ALTERNATE MEMBER 13 CONNIE ACOSTA CITY ATTORNEY 14 **SEAN LANDIS** DIRECTOR OF PLANNING & 15 COMMUNITY DEVELOPMENT 16 **ALESIA HAMMOCK SECRETARY** 17 18 Chairman Langgard called the meeting to order at 7:00 p.m. and stated there was a quorum present. 19 20 Chairman Langgard stated that the voting members are: Sue Langgard, Gail Poston, Joseph Farella, John 21 Dolan, and Richard Nguyen. 22 23 PUBLIC COMMENTS AND ANNOUNCEMENTS - None 1.0 24 25 2.0 OLD BUSINESS 26 27 2.1 Discussion, consideration and possible action concerning a Show Cause Hearing regarding 28 the building/structure located at 1735 and 1737 El Mar Lane. 29 30 Sean Landis gave a brief report. He stated that the structure was close to requesting final 31 inspections but still not in compliance. Mr. Landis stated that there has not been a Certificate of 32 Occupancy issued. He stated that Staff requests a compliance hearing on February 8, 2012. 33 34 Motion was made by Gail Poston and seconded by John Dolan 35 36 To continue with the determinations made at the December 14, 2011 meeting. 37 1/15/2012 the fine will increase an additional \$25.00 for a total of \$50.00 per day until a 38 Certificate of Occupancy has been issued and to have a compliance hearing on February 8, 2012. 39 40 Ayes: Poston, Langgard, Farella, Dolan, and Nguyen 41 42 MOTION CARRIES BY UNANIMOUS CONSENT. 43 44 **FINDINGS** 45 The Building and Standards Commission heard the evidence presented by all parties requesting to 46 be heard. 47 48 The Building and Standards Commission, after hearing and considering all of the evidence, 49 hereby, duly makes the following findings and conclusions: 50

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The Prior Orders and findings of March 9, 2011 and May 11, 2011, October 12, 2011 and December 14, 2011 are incorporated by reference, together with the minutes of the prior hearings, specifically including any additional determinations denoted below.

ORDERS

Having made the above findings, the City of Seabrook Building and Standards Commission orders the Owner(s), commensurate with this Order in relation to the Building to:

9. (Compliance Hearing) Appear at the <u>February 8, 2012</u> meeting of the Commission to present a status report on the case. Owner shall provide city staff a status report at least 3 business days prior to this meeting.

Ayes: Langgard, Poston, Farella, Dolan, and Nguyen.

10. (Additional Conditions). If the Certificate of Occupancy is not issued by January 14, 2012
the fine shall increase to \$50 per day starting January 15, 2012. Penalties
stop upon issuance of Certificate of Occupancy.

Ayes: Langgard, Poston, Farella, Dolan, and Nguyen.

V. COMPLIANCE

In addition, the City of Seabrook Building and Standards Commission notifies the Owner(s) of the Building that:

- 1. If the owner has not complied with the terms of this Order by completing the demolition or repair of the building by the specified date, the Commission authorizes the city to complete demolition of the building and file a lien against the property to recover all associated expenses and demolition costs, unless payment is paid in full within 10 days from the date of the demolition.
- 2. If the Building has not been brought into full compliance with this Order by the specified date(s), the Commission will consider levying civil penalties of up to \$1,000.00 per day for non-compliance. The Commission may assess civil penalties beginning with the first day after any Commission established deadline has been missed, and the City of Seabrook will file a lien against the property to recover all associated expenses and civil penalties, unless payment is paid in full within 10 days from the date of the assessment.

The Commission hereby assesses civil penalties of \$50.00 per day from 01/15/2012 for non compliance (may be up to \$1,000.00 per day for non-compliance, unless owner's lawful homestead in which instance the civil penalty may not exceed \$10 per day for each violation) in an amount not to exceed N/A. The Commission assesses the subject civil penalties beginning with the first day after any Commission established deadline has been missed. The penalties assessed herein shall be paid prior to issuance of a certificate of occupancy. The City of Seabrook will file a lien against the property to recover all unpaid associated expenses and civil penalties, unless payment is paid in full within 10 days from the date of the assessment.

Ayes: Langgard, Poston, Farella, Dolan, and Nguyen.

Compliance Hearing.

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104	3.0	APPROVAL OF MINUTES
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106	3.1	Discussion, consideration and possible action concerning the minutes from the December
107		14, 2011 meeting.
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109		Motion was made by Joseph Farella and seconded by John Dolan
110		Thousan was made by obsept I are the and seconded by donn botten
111		To approve the December 14, 2011 minutes as written.
112		To approve the December 14, 2011 initiates as written.
112		RACTION CADDIEC DV HIM ANDRACTIC CONCERNE
_		MOTION CARRIES BY UNANIMOUS CONSENT.
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115		Motion was made by Gail Poston and seconded by John Dolan
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117		To adjourn the Building & Standards Commission meeting.
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119		MOTION CARRIES BY UNANIMOUS CONSENT.
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121		Chairman Langgard adjourned the meeting at 7:06 p.m.
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123	APPI	ROVED THIS 8TH DAY OF FEBRUARY, 2012.
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127		Sue Langgard, Chairman Alesia Hammock, Secretary
14/	2	but Langgard, Channian Alesia Hammock, Secretary