

**MINUTES OF THE ANNUAL MEETING
OF THE SUBSTANDARD BUILDING BOARD
OF THE CITY OF NORTH RICHLAND HILLS, TEXAS,
HELD AT THE COUNCIL WORKROOM, 4301 CITY POINT DRIVE
OCTOBER 8, 2019**

The Substandard Building Board of the City of North Richland Hills, Texas met on the 8th day of October 2019 at 6:00 p.m. in the Council Workroom.

Present:	Brian Crowson	Chairman, Place 6
	Daniel Caulkins	Place 1
	Bill Wait	Place 2
	John Cope	Place 3
	Michael Gist	Place 4
	Billy Parks	Place 5
	Robert McCary	Place 7
Staff Members:	Stefanie Martinez	Director of Neighborhood Services
	Kellie Brady	Assistant City Attorney

1. CALL TO ORDER

Chairman Crowson called the meeting to order at 6:03 p.m.

2. PUBLIC COMMENTS - AN OPPORTUNITY FOR CITIZENS TO ADDRESS THE SUBSTANDARD BUILDING BOARD ON MATTERS WHICH ARE SCHEDULED ON THIS AGENDA FOR CONSIDERATION BY THE SUBSTANDARD BUILDING BOARD, BUT NOT SCHEDULED AS A PUBLIC HEARING. IN ORDER TO ADDRESS THE SUBSTANDARD BUILDING BOARD DURING PUBLIC COMMENTS, A PUBLIC MEETING APPEARANCE CARD MUST BE COMPLETED AND PRESENTED TO THE SECRETARY PRIOR TO THE START OF THE SUBSTANDARD BUILDING BOARD MEETING.

Chairman Crowson informed the Board that no one had signed up to speak during public comments.

3. APPROVAL OF MINUTES OF THE MAY 14, 2019 SUBSTANDARD BUILDING BOARD MEETING.

MR. BILL WAIT MOVED TO APPROVE THE MINUTES OF THE MAY 14, 2019 SUBSTANDARD BUILDING BOARD MEETING. MR. ROBERT MCCARY SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

4. ELECTION OF CHAIR AND VICE CHAIR

Ms. Stefanie Martinez, Director of Neighborhood Services, asked that the three new Board Members introduced themselves to the Board. Mr. Michael Gist, Mr. John Cope, and Mr. Daniel Caulkins and introduced themselves to the Board.

Chairman Crowson asked if there are any nominations for Chair. In response, Mr. Parks recommended that the Board keep same Chairman. Chairman Crowson accepted the nomination.

APPROVED

MR. BILLY PARKS MOVED TO KEEP CHAIRMAN CROWSON AS CHAIRMAN. MR. BILL WAIT SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

Chairman Crowson asked if there are any nominations for Vice Chair. In response, Mr. Parks nominated Mr. Bill Wait as Vice Chair. Mr. Wait accepted the nomination.

MR. BILLY PARKS MOVED TO NOMINATE MR. BILL WAIT AS VICE CHAIRMAN. CHAIRMAN BRIAN CROWSON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

4. 2019 SUBSTANDARD BUILDING BOARD MEETING DATES

Chairman Crowson informed the Board that the Substandard Building Board meetings are held on the 2nd Tuesday of each month unless informed otherwise by City Staff. The Board members were provided a handout earlier with all 2020 Substandard Building Board dates.

Ms. Martinez informed the Board that meeting dates have been set but it does not mean a meeting will occur unless there is a case to bring to the Board. The only one that is set is the October meeting, which is set up in the ordinance that the Substandard Building Board will meet annually in October.

Chairman Crowson informed the Board they must attend 75% of the meetings.

5. SUBSTANDARD BUILDING BOARD ANNUAL TRAINING – KELLIE BRADY, ASSISTANT CITY ATTORNEY

Kellie Brady, Assistant City Attorney, presented her training presentation on the Chapter 54 Texas Local Government Code. Ms. Brady informed the Board that they have authorization to hear variety of cases besides substandard cases including animal cases based on the Chapter 54 Texas Local Government Code. Ms. Brady presented

all the case types that the Board could be presented to the Board and the possible outcomes including civil penalties and different types of orders that can be issued by the Board. Ms. Brady also provided information on the appeal process on a Board Order and some cases could go to District Court.

Ms. Brady, advised the Board that the City is also limited on what can be done based on what the city ordinance states compared to the Chapter 54 Texas Local Government Code.

Ms. Brady informed the Board that the civil penalties under Chapter 54 Texas Local Government Code are much broader than the civil penalties that are allowed under our city ordinances. When the City Council created our ordinances and the Board, they limited the amount of civil penalties that could be issued. The Chapter 54 Local Government Code allows \$1,000 civil penalty per violation per day to be issued whether the property is homestead or not. The city ordinance only allows up to \$10 per day civil penalty if the property is homestead.

Chairman Crowson asked if it was a commercial property would the civil penalty be up to \$1,000 a day per violation. Ms. Brady replied correct.

Ms. Brady explained what the International Fire Code is to the Board and explained that cities can adopt these codes into their ordinance with amendments, which had been done recently by the city.

Ms. Brady informed the board members that when the City brings cases to this Board, they have already done a lot of that back work. They have worked with these property owners for a long time and tried to get them to come into compliance. The city staff is not bringing this Board a case just to say we need you to tell them to get into compliance in actually they are coming to this Board because they need something more done as the property owners are not listening to them.

Chairman Crowson asked Ms. Martinez once an Order has been issued by this Board can city staff provide the Board an update on the status of those cases. Ms. Martinez replied yes, we probably could by adding an agenda item to follow up on old cases so that we can discuss the outcome of those cases. Ms. Brady stated if you plan to add that to the agenda, it would need be specific. She doesn't have a problem with providing feedback on the outcome of cases after the Orders have been issued.

Chairman Crowson asked if there is a city ordinance on how many pets a resident is allowed. Ms. Brady replied yes there is a city ordinance on the number of pets a resident is allowed, the type of pet, livestock, prohibited animals that are not allowed in the city limit, and so on. There are some animals that require a permit.

Chairman Crowson asked how does someone ask for a variance on the watering restrictions. Ms. Martinez replied that the property owner would need to contact Public Works and apply for a watering variance. The variance is good for 30 days if approved.

Public Works consults with a horticulturist to make sure the watering is appropriate and not excessive. Chairman Crowson asked if there is an ordinance in place to prohibit property owners from watering during freezing weathers. Ms. Martinez replied yes, it is actually nuisance violation that is enforced by Code Enforcement. Chairman Crowson asked if Code gets a lot of calls on those violation. Ms. Martinez replied yes during the winter months and Code will try to make contact with the property owner and issue a warning about the violation. Most of the time, the timers that are set correctly. We always send notice of violation before we will a citation.

Ms. Brady informed the Board that there are other types of cases that are not appropriate for the Substandard Building Board to hear such as zoning cases, which we would could take to District Court or Criminal Court. Water issue such as drainage could be taken to District Court.

Chairman Crowson asked if a property owner could appeal an Order issued by the Board. Ms. Brady replied yes. The property owner has 30 days to file an appeal on the Order issued by the Board and the case would go to District Court and the process would start all over again. The District Court case when be a brand new case. The District Court would hear all the facts and make a decision based on the evidence presented and they don't have to take anything the Board issued in the Order into consideration.

Ms. Brady informed the Board that the Substandard Building Board is not an advisory board. This Board function is to make a decision based on evidence provided and issue Orders.

Chairman Crowson asked how long the current ordinance regarding the Substandard Building Board has been in effect. Ms. Brady stated it has been in effect since 1975 but was modified in 2015 to allow civil penalties to be issued.

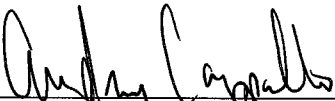
6. ADJOURNMENT

Chairman Crowson adjourned the meeting at 6:55 p.m.



Brian Crowson, Chairman

ATTEST:



Audrey Cappallo, Executive Secretary