

MINUTES

On April 4, 2024, the Condemnation Appeals Commission met at 3:00 p.m. for a Regular meeting at City Hall, 601 S Buchanan St., in the City Council Chambers.

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD SINCE APPOINTMENT	NO. OF MEETINGS ATTENDED
Tom Roller, Chair	Yes	86	78
Frank O Willburn, Vice Chair	Yes	5	5
Richard Constancio Jr.	Yes	86	54
Jim Banes	Yes	64	49
Gary Ward	No	5	0
ALTERNATE MEMBER			
Ryan Huseman	No	34	7

Also in attendance were:

Jacob Diaz
Bryan McWilliams
Gwen Gonzales
Cory Gilford
Jerry Brinkley

CITY MARSHAL, CITY OF AMARILLO
CITY ATTORNEY, CITY OF AMARILLO
DANGEROUS STRUCTURE MANAGER, CITY OF AMARILLO
CODE INVESTIGATOR, CITY OF AMARILLO
CODE INVESTIGATOR, CITY OF AMARILLO

This meeting of the Condemnation Appeals Commission was called to order by Chairman Roller, established a quorum at 3:00 p.m.

ITEM 1: Public Comments:

The Chairman, Commissioner Roller opened the floor for any public comments to speak to any item on the agenda that does not have a public hearing.

Joe Murguia, 2508 Audrey, approached the podium. He wanted to speak about 411 SE 15th Avenue. His son is the owner, and he has been helping him manage this property for years. Mr. Murguia wanted to ask for a reversal of the ruling to demolish this structure. He admitted they had "dropped the ball" during the time of the notices because of a family medical event. Ms. Gonzales, Dangerous Structure Manager, presented the facts of the case. The case was presented to the Condemnation Appeals Commission on December 7, 2023, no interested persons attended the hearing, the Commissioners chose Options II and V. The Initial Notice of Dangerous Structure was mailed June 24, 2023, and delivered. The Public Hearing Notice was mailed October 24, 2023, and delivered. The Resolution Notice was mailed December 11, 2023, and it was returned unclaimed. The demolition has been bid out and a permit to demolish has been issued.

ITEM 2: Minutes:

Commissioner Constancio made a motion to approve the minutes of the March 21, 2024, meeting, seconded by Commissioner Banes, the motion passed with a 4:0 vote.

ITEM 3: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure and solid waste accumulation located at 909 N Cleveland Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure, a manufactured home and solid waste accumulation. The manufactured home was involved in a fire on March 7, 2023. The residential structure has been without water service since June 22, 2022. The Amarillo Police Department has been called out to this location 11 times since the structure became vacant. Building Safety and the City Marshal's Office has worked 3 cases since the structure became vacant: weeds, junk and debris, and this dangerous structure case. This property is located 2 blocks from an elementary school, 2 blocks from railroads, and 8 blocks from a major highway, Interstate 40. The manufactured home was demolished after the start of this case. There was no permit issued for this demolition. Most of the solid waste has been removed. Attempts have been made to secure the residential structure. The foundation has holes, and the roof is sagging. Building Safety received an application for a

Provisional Demolition Permit on February 13, 2024; however, the demolition permit cannot be issued until a temporary water and sewer disconnect is permitted and performed. This property is a nuisance, it is a hazard to the neighborhood, and creates an unsafe environment; therefore, demolition is recommended: Item II. There are no taxes due, and there is no money owed to the City for any mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. Jorge Escamilla, 863 FM 683, approached the podium. Mr. Escamilla said that he has tried to get a permit to tear the house down, but they won't give it to him. Mr. Escamilla said he has come in many times to get one. He said that he has cleaned up the property and the trailer that was burned is gone. Chairman Roller asked Ms. Gonzales about the permitting process. Ms. Gonzales explained that Building Safety was waiting to issue the Provisional Demolition permit because a plumbing permit must be issued and completed for the temporary water and sewer disconnect to be done. The demolition permit can be issued after that. Mr. Escamilla said that he can't get anyone to do the plumbing disconnects. The Chairman admitted his information into the record. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Willburn made a motion to approve the Resolution for Option II, seconded by Commissioner Banes, the motion passed with a 4:0 vote.

ITEM 4: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure and solid waste accumulation located at 702 N Jefferson Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a fire damaged commercial structure and solid waste accumulation. This structure was involved in a fire on August 9, 2022. This structure has been without water service since November 8, 2005. The Amarillo Police Department has been called out to this location 1 time since the structure became vacant. Building Safety and the City Marshal's Office have worked 1 case since the structure became vacant: this dangerous structure case. This property is located 3 blocks from a high school, 6 blocks from downtown, and 1/2 block from a major road: Amarillo Boulevard. The structure has been demolished without water and sewer taps being capped off, an asbestos survey, or a demolition permit being issued. There is still a considerable amount of solid waste and demolition debris on the property and in the street. The concrete foundation also remains. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Items II & V. There are no taxes due and there is nothing owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. There was no one. Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. The Commissioners deliberated. Commissioner Constancio made a motion to approve the Resolution for Options II and V, seconded by Commissioner Willburn, the motion passed with a 4:0 vote.

ITEM 5: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures and solid waste accumulation located at 82 N Kentucky Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of 2 residential structures, an accessory structure, and solid waste accumulation. The rear residential structure has been involved in 2 fires: April 29, 2023, and November 3, 2023. The front residential structure has also been involved in 2 fires: both in January 2024. This property has been without water service since November 21, 2023. The Amarillo Police Department has been called out to this location 10 times since the property was involved in the first fire in April 2023. Building Safety and the City Marshal's Office have worked 5 cases in the property became vacant: weeds/junk and debris, junk vehicles, and this dangerous structure case. This property is located 3 blocks from a park, and 5 blocks from a major road: Amarillo Boulevard. Both structures have severe fire damage. They are both unsecure. The front structure's roof has holes. The rear structure is in a state where collapse is imminent. There is evidence of vagrant activity. The owner called the City Marshal's office and said she could not make it due to living out of state. She stated she has several interested buyers. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Item II. There are taxes due, and money is owed to the City for mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. There was no one. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. Commissioner Willburn made a motion to approve the Resolution for Option II, seconded by Commissioner Banes, the motion passed with a 4:0 vote.

ITEM 6: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures and solid waste accumulation located at 2810 S Wilson Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a manufactured home and solid waste accumulation. This property has been without water service since March 19, 2022. The Amarillo Police Department has been called out to this location 51 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 7 cases in the last 2 years: weeds/junk and debris, zoning violations, and this dangerous structure case. This property is located 3 blocks from an elementary school, 2 blocks from a railroad, and 3 blocks from a major road: Amarillo Boulevard. The structure remains unsecure, with broken windows and open doors. There is evidence of vagrant activity. There is, also, an accumulation of solid waste. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Items II & V. There are taxes due, and money is owed to the City for mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Diaz any questions. Commissioner Constancio asked about the 51 times the Police had been called out to the location. Mr. Diaz explained that the property used to be a makeshift homeless camp and that is what most of the calls were about. The Chairman asked if there was anyone present with a legal interest in the property. Johnny Jiminez, 802 S Browning Street, approached the podium. The property belonged to his wife. Mr. Jiminez stated that he was unaware that his wife purchased the property. She passed away in 2022. He thought that she purchased it for her son, who has been in jail for a long time. He was concerned that the property was not in his name and what did he needed to do to get it in his name and take care of the property. The Chairman admitted his information into the record. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. Commissioner Banes made a motion to approve the Resolution for Options II and V, seconded by Commissioner Constancio, the motion passed with a 4:0 vote.

ITEM 7: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures and solid waste accumulation located at 500 W Amarillo Boulevard.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of several commercial structures, accessory structures, and solid waste accumulation. This property has been without water service since September 4, 2012. The Amarillo Police Department has been called out to this location 14 times since the structures became vacant. Building Safety and the City Marshal's Office have worked 4 cases in the last 2 years: weeds/junk and debris, and this dangerous structure case. This property is located 6 blocks from an elementary school, 8 blocks from a park, and it fronts a major road: Amarillo Boulevard. The structure remains unsecure, with broken windows and open doors, varying levels of dilapidation, and there is evidence of vagrant activity. There has also been some unpermitted work at this location. There is an accumulation of solid waste. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Items II & V. There are no taxes due, however, there is money owed to the City for a prior mowing and cleanup job. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. Shanna Kramer, 715 Phillips St, Callisburg TX, approached the podium. Ms. Kramer represents the Estate of the property. Ms. Kramer said that she has been working with Gwen in the City Marshal's office and Weldon in Building Safety to get permits to demolish the structures. Ms. Kramer has contacted several contractors and is working on getting an asbestos survey. Ms. Kramer said that this has been in the works since her father passed away in 2021. She is going to the Water Distribution Department to pay for the abandonments after this meeting. Ms. Kramer also talked about how the vagrant activity in Amarillo has caused most of the problems with this property. They have stolen several thousands of dollars' worth of equipment and property from this location. The Chairman admitted his information into the record. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. Commissioner Banes made a motion to approve the Resolution for Options II and V, seconded by Commissioner Constancio, the motion passed with a 3:0:1 vote. (Chairman Roller recused himself from the vote.)

ITEM 8: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures and solid waste accumulation located at 4425 Buck Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure, an accessory structure, and solid waste accumulation. The residential structure was involved in a fire on October 9, 2023. This property has been without water service since April 12, 2023. The Amarillo

Police Department has been called out to this location 2 times since the structure was involved in a fire. Building Safety and the City Marshal's Office have worked 6 cases in the last 2 years: weeds/junk and debris, and this dangerous structure case. This property is located 3 blocks from an elementary school, 3 blocks from a park, and 2 blocks from a major thoroughfare: the Dumas Highway. The structure remains unsecure, has fire damage and there is a hole in the roof. There is, also, an accumulation of solid waste. A Provisional Demolition permit request has been submitted, however, as of April 3, 2024, the permit has not been paid for or issued. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Items II & V. There are no taxes due, and there is nothing owed to the City for mowing and cleanup jobs. Cory Gilford, Code Investigator, handed the Commissioners a tablet to present the digital file to the Commissioners for their review. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. There was no one. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. Commissioner Willburn made a motion to approve the Resolution for Options II and V, seconded by Commissioner Banes, the motion passed with a 4:0 vote.

ITEM 9: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 3602 S Hayden Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure with an attached accessory structure. This property has been without water service since January 28, 2020. The Amarillo Police Department has been called out to this location 11 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 3 cases in the last 2 years: weeds/junk and debris, and this dangerous structure case. This property is located 2 blocks from an elementary school, 6 blocks from a private school, and it is adjacent to a major thoroughfare: the Canyon Highway. Attempts have been made to secure the structure. The burned attached accessory has been cleared of debris and is unsecure. The property owner has contacted the City Marshal's office and indicated that he wanted to rehabilitate the property. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Item III. There are no taxes due, and nothing is owed to the City for mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. Edward Gonzalez, 3207 S Parker, approached the podium. Mr. Gonzalez said he purchased the property about 6 months ago. He has cleared out the house, cleaned up the yard and removed the burned debris. He has plans to fix up the property. He is working on getting bids from contractors so he can obtain a provisional permit. Mr. Gonzalez asked if he could get a provisional permit for the burned garage and have a regular permit for the house portion of the structure. The Chairman referred that question to Ms. Gonzales. Ms. Gonzales said that he would need to discuss permitting with the Building Safety Department. The Certificate of Occupancy has been revoked on this structure. The Chairman admitted his information into the record. The Chairman asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. Commissioner Willburn made a motion to approve the Resolution for Option III, seconded by Commissioner Constancio, the motion passed with a 4:0 vote.

ITEM 10: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 603 N Jefferson Street.

Mr. Diaz, City Marshal, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure and an accessory structure. This structure was involved in a fire on May 24, 2018. This property has been without water service since February 16, 2018. The Amarillo Police Department has been called out to this location 4 times since the structure became vacant. Building Safety and the City Marshal's Office have worked 1 case in the last 2 years: this dangerous structure case. This property is located 3 blocks from an elementary school, 5 blocks from a park, and it is 1 1/2 blocks from a major thoroughfare: Amarillo Boulevard. The structures remain unsecure, with broken windows and fire damage. There is evidence of vagrant activity. Building Safety has had no recent permit activity. This property is a nuisance, it is a hazard to the neighborhood and creates an unsafe environment therefore demolition is recommended: Items II. There are no taxes due, and nothing is owed to the City for mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Diaz any questions. The Chairman asked if there was anyone present with a legal interest in the property. There was no one. The Chairman asked if there was anyone else who wished to speak concerning the property. Ina Campbell, 2514 Redwood Street, approached the podium. Ms. Campbell owns the property adjacent to this house. She has witnessed people coming and going from this house. Ms. Campbell said the condition of the house is ridiculous and it is a nuisance. Ms. Campbell wants the house to be gone. The Chairman admitted her information into the record. The Chairman asked if there was anyone else who wished to speak. Lester Campbell, 2514 Redwood Street,

approached the podium. Mr. Campbell said there have been people living behind the house. The Chairman admitted his information into the record. The Chairman closed the hearing. Commissioner Constancio made a motion to approve the Resolution for Option II, seconded by Commissioner Willburn, the motion passed with a 4:0 vote.

Adjournment:

Chairman Roller asked if there was any further business. There was none. Chairman Roller concluded the meeting. The meeting was adjourned at 4:47 p.m. This meeting was recorded, and all comments are on file with the City Marshal's Office.

A handwritten signature in blue ink, appearing to read 'Tom Roller', written over a horizontal line.

Tom Roller, Chairman

ATTEST:

A handwritten signature in blue ink, appearing to read 'Gwen Gonzales', written over a horizontal line.

Gwen Gonzales, Dangerous Structure Manager
Sarah Ramon, Administrative Specialist