

MEMORANDUM



TO: VICTOR CARDENAS, INTERIM CITY MANAGER
FROM: CHARLES BOULARD, COMMUNITY DEVELOP. DIRECTOR
SUBJECT: STATUS OF CODE COMPLIANCE DEMOLITION REQUESTS
DATE: FEBRUARY 8, 2023

Mayor and Council –

FYI on two demolition projects in progress.

- Victor

Background:

This correspondence is an update to the communication forwarded in September of 2022 regarding two (2) instances where property owners are reticent to make the needed repairs or corrections to their residential properties. In both situations cooperation was not forthcoming, and conditions required action through the local Courts. In cases where the owner chooses not to cooperate with the direction of the Court, the City will typically request and receive an order to repair or remove a structure. Repair is always the preferred option as it increases rather than decreases the taxable value in the community and is typically a better use of resources than removal. In some cases, however, the cost to repair a structure will exceed the potential value and any opportunity for the City to recover the funds expended. A brief background and update of the current status of the properties is provided below:

41321 Llewelyn:

This single-family property had been vacant and fallen into disrepair. Code Compliance staff pursued repair and, when the owner was not willing to make the investment issued, an RFP for repairs of the building shell. The cost of these repairs exceeded the potential value of the property and would have limited the opportunity for the City to secure reimbursement through a lien.

Moving forward the City staff secured an agreement for repair or demolition and were ready to move forward with removal when the owner began repairs and posted a bond with the Court as part of a Consent Agreement. A further delay was caused when the property was claimed to have been sold. Renovation work is underway but had been haphazard at best and the work was nowhere near complete on the August 1, 2022, date specified in the Consent Agreement for a completion sufficient to allow issuance of a Certificate of Occupancy. As such, an RFP was issued for demolition and bids were received. At a final Court Hearing Court hearing to enforce the Consent Agreement the owner yet again requested the Court for additional prior to allowing the demolition to move forward. The owner promised the Court very significant progress within a short time frame. While the construction work has at times fallen short of promises, the Court has maintained pressure on the owners team to perform through frequent appearances and requirements for continued progress. The exterior of the property has improved significantly as is apparent in the following photos:



While the progress toward completing the exterior building shell is promising, the work on the interior has again stalled. A review hearing is scheduled for February 21. Lacking meaningful progress going forward we will again request the judge allow the City to execute the order and proceed with demolition of the home, dilapidated pool and other site structures.

2094 Austin:

This property had been under construction for many years. While it was never approved for occupancy the owner appeared to move in and this was confirmed through execution of an administrative search warrant in March of 2021. The building was

unsafe for occupancy and posted a such. The owner was directed to vacate and ticketed. A subsequent Consent Agreement and bond required the home to be completed by May 15, 2022. The home was not finished and in fact not even all of the required Rough inspections have been completed while uninspected construction proceeded contrary to the approved plans.

A Formal Hearing was held at the District Court on July 13, 2022, and the Judge approved moving forward with the demolition in accordance with the agreement. Following an RFP for demolition, a contract was brought before and approved by City Council on September 26, 2022. After a delay to secure the needed utility disconnects the contractor has completed the demolition and grading work. The balance of restoration including seed and straw for stabilization will take place as soon as weather and material availability allow. Photos of the progress and current condition are included below:





Once billing occurs, the Court would be requested to release any available balance of the current \$25,000.00 bond held towards the demolition cost.

Please let me know if I can provide any additional information.