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**From:** Sheryl Sculley [mailto:Sheryl.Sculley@sanantonio.gov]  
**Sent:** Monday, January 25, 2010 8:52 PM  
**To:** Mayor and Council  
**Cc:** T.C. Broadnax; Michael Bernard; Chris Callanen; Robbie Greenblum; Di Galvan  
**Subject:** FW: Retaining Wall

Mayor and Council,

The hillside collapse within the River Mist subdivision was the result of an improperly constructed retaining wall and the improper compaction of fill on which homes were constructed. The developer did not obtain the required permits.

The developer of the River Mist subdivision met with the affected homeowners this evening. City staff were not invited to the meeting nor did we attend. I am told that the developer stated that they obtained the necessary construction permits for the River Mist subdivision. They did not obtain a permit for the retaining wall that collapsed. A more detailed description of the requirements is provided below by TC Broadnax and Rod Sanchez.

The developer is Pulte Homes, Inc., the parent company of the neighborhood's builder Centex Homes.

Sheryl Sculley  
City Manager  
City of San Antonio  
City Hall - 100 Military Plaza  
San Antonio, Texas 78205  
210.207.7082

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**From:** T.C. Broadnax  
**Sent:** Monday, January 25, 2010 8:18 PM  
**To:** Sheryl Sculley  
**Subject:** Fwd: Retaining Wall

T.C. Broadnax

Begin forwarded message:

**From:** "T.C. Broadnax" <[T.C.Broadnax@sanantonio.gov](mailto:T.C.Broadnax@sanantonio.gov)>  
**Date:** January 25, 2010 7:53:24 PM CST

**To:** "T.C. Broadnax" <[T.C.Broadnax@sanantonio.gov](mailto:T.C.Broadnax@sanantonio.gov)>

**Subject: Retaining Wall**

Sheryl,

The retaining wall that failed was constructed without the required building permit which is a violation of the requirements of Section 105 of the 2006 *International Residential Code* as adopted by the City of San Antonio. Had a permit been secured, the retaining wall would be required to be designed by a Texas registered professional engineer and the plans would be submitted with the permit application for review by the Planning & Development Services Department (PDSD) plans review staff prior to the issuance of the permit. Retaining walls of this nature would be required, as part of the permit process, to have special inspections performed by a qualified third party inspector under the supervision of a professional engineer. A final report would be submitted to PDSD by the third party inspections firm prior to the wall receiving a final inspection and the permit being completed. The developer has indicated that the retaining wall was constructed in accordance with a structural engineer's design. The PDSD has requested that this documentation be submitted as soon as possible, so that the City can verify the wall was constructed properly.

Structures are allowed to be built on properly compacted fill if the 12 inch lifts are monitored by a professional engineer and certified as such. It appears that the developer installed fill that was not properly compacted before he turned individual pad sites over to the home builders for construction of their products. Once a home builder purchases a lot, he secures a required building permit where the foundation is inspected by a professional engineer prior to the placement of concrete. It is the professional engineer's responsibility to determine that the foundation that he is certifying is placed on original material or that the pad site has been properly compacted with select fill material.

***In the Spirit of Excellence!!***

**T.C. Broadnax**

**Assistant City Manager**