

**CITY OF EL PASO  
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"  
2<sup>ND</sup> FLOOR, CITY COUNCIL CHAMBERS  
NOVEMBER 28, 2012  
5:30 P.M.**

**MINUTES**

The Building & Standards Commission Panel "A" held a public hearing in City Council Chambers, 2<sup>nd</sup> floor of the City Hall Building on Wednesday, November 28, 2012 at 5:30 p.m. with the following members present:

**Board Members Present:**

Al Jurado  
Paul Gilcrease  
William C. Helm II  
Jesse A. Sanchez  
Linda Vick  
Michael Bray  
Conrad Conde (alternate)

**Others Present:**

Bill Stern, Deputy Building Official  
John Batoon, Assistant City Attorney  
Wayne Fannin, Building Inspector  
Roger Iveson, Chief Building Inspector  
Nellie Avalos, Building Inspector  
Nathan Walsh, Building Inspector  
Rodolfo Huerta, Building Inspector  
Diana Cedillo, Senior Office Assistant

**Absent Members:**

Ben Bohannon

**AGENDA**

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Chairman Robert Filarski at **5:30 p.m.**

Interested parties present to give testimony on the cases to be heard by the commission were sworn in by Chairman Robert Filarski.

II. Approval of minutes for the meeting held October 3, 2012.

**Motion made by Mr. Conrad Conde, seconded by Mr. Al Jurado to approve the minutes for the meeting held October 3, 2012, unanimously passed.**

**Regular Items:**

- III. Public hearings to determine if the property located at 469 Myra St. in the City of El Paso, is a dangerous structure and to determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as Jesus Gomez and Maria Gomez, and they have been notified of this hearing.

Bill Stern, Deputy Building Official, read the item into the record.

Roger Iveson, Building Inspector presented the case.

No representation on the property.

**Motion made by Ms. Linda Vick, seconded by Mr. Conrad Conde to accept staff recommendations, unanimously carried.**

The owners have been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Division recommends that it be found:

1. That the structure is substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
  2. That the structure is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
  3. That the structure's certificate of occupancy be revoked; and
  4. That the structure cannot be rehabilitated; and
  5. That the structure be demolished within thirty (30) days, and
  6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days; and
  7. That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.
- IV. Public hearing to determine if the property located at 7605 Matamoros Dr., in the City of El Paso, is a dangerous structure and to determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested party has been identified as Millie Dickson (owner) and has been notified of this hearing.

Bill Stern, Deputy Building Official, read the item into the record.

Nathan Walsh, Building Inspector presented the case.

Dorothy Hamilton, presented herself on behalf of the property. Mother in law (owner of property) deceased in 1998, Ms. Hamilton's husband deceased 1999. Ms. Hamilton has paid taxes since 1998 and is currently in the process of trying to purchase property. She has requested an extension of time to obtain the warranty deed to purchase the property. Ms. Hamilton advised her sister in law has power of attorney over the property.

Ms. Vick, stated her concern that the property is currently unsafe. There are safety issues involved and the home needs repair and that the camper located on the premises be removed.

Mr. Robert Filarski, states property needs to be secured within the thirty days.

Mr. Michael Bray also states his concern that the building be secured and cleaned.

**Motion made by Mr. Michael Bray, seconded by Mr. Conrad Conde to accept staff recommendations, unanimously carried.**

The owner has been notified of the property violations at this property, to date there has been no response or corrective action taken, and therefore the Department recommends that it be found:

1. That the structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
2. That the structure is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
3. That the structure's certificate of occupancy be revoked; and
4. That the structure can be rehabilitated; and

5. That the structure be secured and maintained secured within thirty (30) days; and
  6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
  7. That the accessory structure and camper be demolished within thirty (30) days; and
  8. That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.
- V. Public hearings to determine if the property located at 9103 San Fernando Court, in the City of El Paso, are dangerous structures and determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, Nemecio Quinonez and Elisa N. Quinonez, and they have been notified of this hearing.

Bill Stern, Deputy Building Official, read the item into the record.

Nathan Walsh, Building Inspector presented the case.

Ms. Hilda Villas was present to speak regarding property, advising that she is a neighbor. Ms. Villas states the home has been abandoned for several years and is in agreement with demolishing the structure.

**Motion made by Mr. Jesse Sanchez, seconded by Mr. Paul Gilcrease to accept staff recommendations, unanimously carried.**

The owners have been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Division recommends that it be found:

1. That the structure is substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
2. That the structure is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
3. That the structure's certificate of occupancy be revoked; and
4. That the structure cannot be rehabilitated; and
5. That the structure be demolished within thirty (30) days; and
6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days; and
7. That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission, the City may take whatever action is necessary to bring the property into compliance and place a lien on the property for the work which will be done by the City.

- VI. Public hearing to determine if the property located at 604 Pueblo Street, in the City of El Paso, is a dangerous structure and to determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, John B. McFadden, Jr. and Cheryl Mae McFadden (Record Owners), John B. McFadden, Jr., and they have been notified of this hearing.

Bill Stern, Deputy Building Official, read the item into the record.

Rodolfo Huerta, Building Inspector presented the case.

Carlos and Saudi Reyes presented themselves as being an interested party on this property. Mr. and Mrs. Reyes stated that they reside at 605 Pueblo and were inquiring about the home due to possibly wanting to purchase.

The property is scheduled to be auctioned in February 2013.

Mr. Filarski asked if the property has been abandoned.

Mr. Sanchez inquired if there has been any activity from August 2012 through October 2012, which there has not been. Ms. Vick stated that there will 30 days to comply with recommendations.

**Motion made by Ms. Linda Vick, seconded by Mr. Paul Gilcrease to accept staff recommendations, unanimously carried.**

The owners have been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Division recommends that it be found:

1. That the structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
  2. That the structure is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
  3. That the structure's certificate of occupancy be revoked; and
  4. That the structure can be rehabilitated; and
  5. That the structure be secured and maintained secured within thirty (30) days; and
  6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
  7. That the accessory structure be demolished within thirty (30) days; and
  8. That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.
- VII. Public hearing to determine if the property located at 1 Atkinson Way, in the City of El Paso, is a dangerous structure and to determine if the owner will be ordered to secure, repair, remove or demolish the property. The interested party has been identified as FNMA, (Federal National Mortgage Association AKA Fannie Mae) owner, and has been notified of this meeting.

Bill Stern, Deputy Building Official, read the item into the record.

Wayne Fannin, Building Inspector presented the case.

As of 3:30 p.m. on November 28, 2012, Building Inspector, Wayne Fannin stated that there has been activity in securing main property as well as cleaned trash and debris.

Mr. Filarski inquired about securing of property.

Mr. Fannin stated that the accessory structure has remained open.

Ms. Peggy Oxford, a realtor working with The Fannie Mae Corporation, stated that in August of 2012, the structure had been secured but broken into. If the unpaid taxes are settled, on December 3, 2012, she will close on property. Ms. Oxford has requested an extension of time to resecure the premises.

Mr. Filarski stated that realtor has 30 days to resecure, but the property still needs maintenance, and the plumbing and electrical are not up to code.

Mr. Bray stated that the accessory should also be secured.

Mr. Fannin states that the property has been secured several times, but has still been broken into, the structure is falling and for the safety of future owners, the City of El Paso recommends for the property to be demolished.

Mr. Stern stated that the City of El Paso will renotify the new property owner before the City takes further action.

An extension of 45 days to resecure the home was granted by Mr. Conrad Conde.

Mr. Stern states that the necessary information is included in the ordinance that there is an extension of twenty days, and within those twenty days, the owner needs to comply with the final order; which in total gives fifty days to meet the terms.

Realtor requesting in writing, Mr. Stern reassured Ms. Oxford that all the necessary information is stated in the Ordinance.

**Motion made by Mr. Filarski, seconded by Mr. Jurado to accept staff recommendations, unanimously carried for the extension of time for 65 days to resecure the premises.**

The owner has been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Division recommends that it be found:

1. That the structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
2. That the structure is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
3. That the structure's certificate of occupancy be revoked; and
4. That the structure can be rehabilitated; and
5. That the structure be secured and maintained secured within thirty (30) days; and
6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
7. That the accessory structure be demolished within thirty (30) days; and
8. That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.

VIII. Ethics Training Reminder, before December 31, 2012

**Motion made to adjourn the meeting by Michael Bray, seconded by Jesse Sanchez was unanimously carried. The meeting adjourned at 6:25 p.m.**

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Robert Filarski, Chairman, Panel "A"

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Bill Stern, C.B.O., Deputy Building Official  
Code Compliance Division