

**CITY OF EL PASO, TEXAS
BUILDING AND STANDARDS COMMISSION BOARD PANEL "A"
2nd FLOOR, CITY COUNCIL CHAMBERS
JANUARY 31, 2007**

MINUTES

The building & Standards Commission Panel "A" held a public hearing in City Council Chambers 2nd Floor of the City Hall Building on Wednesday, November 29, 2006, at 5:35 p.m. with the following members present:

Board Members Present:

Fred Dalbin
Carl Robinson
John Cordova
Tedd Richardson
Michael Bray
Sema Gonzalez
Paul Zacour
Margie Aguilar Desrosiers

Others Present:

Larry F. Nichols, Building Official
Roberta Cross, Assistant City Attorney
William Stern, Chief Building Inspector
Leo Casso-Lopez, Residential Inspector Supervisor
Zully Davis, Residential Inspector
Manuela Avalos, Residential Inspector
Nancy M. Spencer, Recording Secretary

Absent Members:

Carlos Bombach

AGENDA

II. Approval of minutes for the meeting held November 29, 2006

One correction was made on item #4. Motion should read carried with one opposition.

Motion made by Carl Robinson, seconded by Carlos Cordova to accept approval of the minutes with the noted correction unanimously carried.

Regular Items:

III. Public hearing to determine if the property located at 3511 Polk Avenue in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated July 25, 2006. The owners of this property, Andrea Rodriguez, 4336 Buckingham Dr., El Paso, Texas 79902, has been notified of the violations at this property.

Leo CassoLopez made presentation.

Property owner was not present for discussion.

Motion made by Carl Robinson seconded by Fred Dalbin to accept staff recommendations unanimously carried.

The Department recommends that it be found:

1) That the main structure and accessory buildings be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and

- 2) That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - 3) That the structure can be repaired; and
 - 4) That the main structure be secured and maintained secured within 30 days; and
 - 5) That the premises be cleaned of all weeds, trash, and debris within 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 2714 Lebanon Avenue in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 2, 2006. The owner of this property, Betty Hogan, 2714 Lebanon Avenue, El Paso, Texas 79930, has been notified of the violations at this property.

Zuleika Davila made presentation.

Attorney Terry Johnson representing the property owner was present for discussion.

Motion made by Carl Robinson seconded by Michael Bray to accept staff recommendations unanimously carried.

The Department recommends that it be found:

- 1) That the main structure and accessory buildings be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
 - 2) That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, , and disposal of refuse; and
 - 3) That the structure can be repaired; and
 - 4) That the main structure and accessory building be secured and maintained secured within 30 days; and
 - 5) That the premises be cleaned of all weeds, trash, and debris within 30 days; and
 - 6) 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 hearing to determine if the property located at 2831 Frankfort Avenue in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 28, 2006. The owners of this property, Enrique Martinez and Fermina Morales de Martinez, 2831 Frankfort Avenue, El Paso, Texas 79930, have been notified of the violations at this property.

Leo CassoLopez made presentation

Property owner was not present for discussion.

Motion made by Margie Aguilar-Desrosiers seconded by Michael Bray to accept staff recommendations unanimously carried.

The Department recommends that it be found:

- 1) That the main structure and accessory buildings be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
 - 2) That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, , and disposal of refuse; and
 - 3) That the structure can be repaired; and
 - 4) That the main structure and accessory building be secured and maintained secured within 30 days, and
 - 5) That the premises be cleaned of all weeds, trash, and debris within 30 days; and
 - 6) 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 4008 Pierce Avenue in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated October 16, 2006. The owner of this property, Edward Abraham, 3737 N. Mesa Street, Suite J, El Paso, Texas 79902, have been notified of the violations at this property.

Bill Stern made presentation

Property owner was not present for discussion.

Motion made by Michael Bray seconded by John Cordova to have property secured and maintained secured, clean property of all trash and debris within 30 days and for the property owner to submit building plans to Building Services prior to the next meeting within 60 days unanimously carried.

The Department recommends that it be found:

- 1) That the main 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 building 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 repaired; and
 - 5) That the main structure be secured and maintained secured until rehabilitated within 30 days; and
 - 6) That the premises be cleaned of all weeds, trash, and debris within 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.
- VII. Public hearing to determine if the property located at 5629 Hemingway Drive in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August, 2004. The owner of this property, Rico Alvarez, 5629 Hemingway Street, El Paso, Texas 79924, have been notified of the violations at this property.

Zuleika Davila made presentation.

Sam Jarvis from the Health Department was present for discussion.

Property owner was not present for discussion.

Public comment requesting demolition of the property was made by Lensy Larry and Joe Wilson.

Motion made by Michael Bray seconded by Carl Robinson to accept staff recommendations unanimously carried.

The Department recommends that it be found:

- 1) That the main 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 building 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 repaired; and
- 5) That the main structure be demolished within 30 days; and
- 6) That the premises be cleaned of all weeds, trash, and debris within 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.

VIII. Public hearing to determine if the Building and Standards Commission Order for the property located at 117-119 W. Overland St., in the City of El Paso (legal description on file with the City Clerk) is in compliance with the order of July 26, 2006, and if not to determine penalties. The owner of this property, William Abraham (*Trustee) for Franklin Group L. P., P. O. Box 1797, El Paso, Texas 79949, has been notified of the violation at this property.

William Stern made presentation.

William Abraham, trustee for the property was present for discussion.

Motion made by Michael Bray seconded by Fred Dalbin to allow the property owner to bring current all necessary permits and submit all required stamped detailed plans of the proposed work to be done to the city within 14 days and have final inspections completed within 14 days and if not done, the property owner will be assessed a fine of \$1,000 a day for an additional 63 days plus 14 days from November 29, 2006 until the owner is in compliance, carried.

Carl Robinson abstained from vote.

Tedd Richardson voted against the motion.

The Department recommends that it be found:

- 1) Submit a plan for the repair, removal and stabilization of all exterior surfaces and wall facings to prevent further deterioration, by a design professional and obtain all required permits and all inspections by February 14, 2007, and if not

- 2) The City of El Paso, through its Director for Building Permits and Inspections, shall assess civil penalties of \$1,000.00 a day from November 29, 2006 through the time the Building and Standards Commission Order of July 26, 2006 complied with; and
- 3) That the owner be placed on notice that continuing failure to comply with the Building and Standards Commission Order of July 26, 2006, may result in additional and more severe penalties; and
- 4) That a public hearing be scheduled for March 28, 2007 to determine if the Building and Standard Commission order of July 26, 200, has been complied with and if not to determine additional penalties.

IX. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:23 p.m.

Tedd Richardson, Chairperson

Bill Stern, C.B.O., Chief Building Inspector
Development Services Department