

CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"
January 27, 2016
5:30 P.M.

MINUTES

The Building & Standards Commission Panel "A" held a public hearing at the El Paso City Council Chambers, Wednesday, January 27, 2016 at 5:30 p.m. with the following members present:

Board Members Present:

Sam Guido
Chuck Taylor
Jesse Sanchez
Al Jurado (Alternate)
Armando Jimarez

Others Present:

Ron Roth, Chief Building Inspector
Wendi Vineyard, Assistant City Attorney
Salvador Reyes, Building Inspector
Nellie Avalos, Building Inspector
Fredo Alejandre, Building Inspector
Nancy Spencer, Recording Secretary

Absent

Teresa Munoz
Conrad Conde (Alternate)

AGENDA

I. Call to Order

The meeting was called to order by Chairman Jesse A. Sanchez at 5:44 p.m.

Witnesses that will give testimony on cases to be heard at this meeting were sworn in.

II. Approval of the November 18, 2015, 2015 minutes

Motion made by Armando Jimarez, seconded by Chuck Taylor to approve the November 18, 2015 minutes, unanimously passed.

Regular Items:

III. Public hearing to determine if the property located at 1211 E. Cliff Dr. 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 owner of this property is identified as George L. Hermann, Trustee of the George L. Hermann Living Trust, (record owner), and he has been notified of this hearing.

Ron Roth, Chief Building Inspector introduced the case to the commission.

Inspector Nellie Avalos gave a brief chronology on the history of the property. A slide presentation on what the property looks like was shown to the board..

Board member Armando Jimarez asked if the utilities to the property were disconnected. Mr. Jimarez was advised that they were not.

Board member Al Jurado asked if anyone was there when inspector went to property and was informed that no one was there to meet with the inspector.

Chairman Jessie Sanchez asked how long property has been vacant and was informed that the property has been vacant for several years. Mr. Sanchez requested to see slide 7 showing the possible mold forming on the inside of the property. Inspector Avalos advised that a mold specialist would have to be hired to determine if it was mold and how to get rid of it.. Mr.

Sanchez also requested to see slide 7 and asked about the water shown, where it was coming from. Inspector Avalos advised that the water was coming from the plumbing.

Board member Chuck Taylor asked about the debris and brick on the property. He was advised that there was no feces found and no one was staying in the building.

There was public comment from Mr. Gary Crossline, President of Jace Contracting. Mr. Crossline advised that there was a lawsuit pending against the George L. Hermann Living Trust and would need to know what action will be taken on the property so that he can take the findings back to his attorney.

The owner was not present for public comment.

Motion made by Sam Guido, seconded by Chuck Taylor to accept staff recommendations, unanimously passed.

The owner has been notified of the property violations. 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 certificate of occupancy be revoked; and
 4. That the structure can be rehabilitated; and
 5. That the structure be secured within thirty (30) days; and
 6. That the premises be cleaned of all trash, and debris within (30) days and maintained cleaned thereafter; 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 2521 Richmond Ave., 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 owner of this property is identified as Carolina L. Farmer, (record owner), and she has been notified of this hearing.

Ron Roth, Chief Building Inspector introduced the case to the commission.

Inspector Fredo Alejandre gave a brief chronology on the history of the property. A slide presentation showing the condition of the property was shown to the board.

Board member Armando Jimarez asked if the city had cleaned this property before and if so was there any response from the owner or someone to take responsibility to pay or do anything with the property. Inspector Fredo Alejandre advised the owner had passed away and the daughter lives in Canada. Mr. Jimarez was also told that the property still under the property owner's name. Mr. Jimarez also asked if the property had been secured before and was advised that it was never secured.

Chairman Jesse Sanchez asked when the notices for the public hearing were sent out. Code Field Operating Supervisor, Sonya Cahalan informed the board that the notices were sent and published on January 6, 2016.

Board member Chuck Taylor asked about the furniture and items inside the property. Mr. Taylor was informed that no one lives there but that there are people staying there.

Chairman Sanchez asked about the disconnection on the gas and electric meters and was informed that they were disconnected.

There was discussion on the property taxes being paid up to 2015.

Chairman Sanchez asked about the response to the Notice of Public Hearing and was advised that there was no response from the daughter because she lives in Canada.

There was discussion on the illegal addition made to the property. The commission was advised that it was an illegal addition and that it was not attached to the main house.

Board member Chuck Taylor commented on his concern about the electrical service and was advised that the water and gas service had been disconnected and the electric meter had been removed. Mr. Taylor asked if the inspector had talked to the owner. He was advised that the owner passed away in 2012 and the daughter who lives in Canada is paying the taxes on the property.

Chairman Sanchez asked if the main structure is secured what would happen to the items inside the home. He was advised that everything remains in the house.

Board member Jimarez commented that if the city secures the property, the owner is still not addressing the issue of how the property was going to be taken care of. If there are people staying in the house, the bigger issue is them staying there and how to get them to leave the property. Mr. Jimarez suggested following with the staff recommendations to clean and secure the property within 30 days.

There was public comment from Mr. Javier Fuentes. Mr. Fuentes advised that he was familiar with the issues regarding this property. He informed the board that the daughter paid approximately \$6000.00 to have the trees shown on the slides removed about 6 weeks ago. He also advised the board that the daughter advised him and Mrs. Fuentes that there was a potential buyer for the property who was willing to rehabilitate the property. Mr. Fuentes also told the board that the property taxes had been paid by the daughter and she was also being billed for the cleanup of the property. The daughter was in the process of gathering all the documentation to prove that everything had been already paid for. The board was informed that the neighbors would be happy if the property was cleaned up and secured.

There was public comment from Mark Najera, representative for his cousin who is interested in buying the property. Mr. Najera advised that his cousin who lives in Mexico has agreed to the asking price and her intentions are to renovate it. The board was informed that Joey Najera who will be doing all the rehabilitation on the property was asking for an extension of time.

Chairman Sanchez asked to see the documents of the possible purchase.

Board member Sam Guido informed the board that he is related to Mr. Mark Najera and therefore, was abstaining from voting on the case.

The board was informed that the will has not been probated in court as of yet.

Assistant City Attorney Wendi Vineyard advised that she was not aware if it has gone to probate court and informed the commission that before property is sold, all debts have to be paid.

Board member Chuck Taylor advised there since there is an attempt to rehabilitate the property, if an extension of time may be given to allow the purchase to go through. Chairman Sanchez asked if that this case can be postponed until the next panel meeting.

Board member Al Jurado informed Mr. Najera that there needs to be a listing agreement for the property which includes a legal binding Texas contract with a sales agent who can work with both parties.

Assistant City Attorney Wendi Vineyard recommended tabling this item until the next meeting since with Mr. Guido abstaining from voting on this case, there was no quorum.

Board member Jimarez suggested that while the probate and sale issue on this property is pending, move forward to secure the property and to keep the city posted of all legalities being addressed. Mr. Jimarez advised his primary concern is the safety and welfare with the neighborhood and that the property needs to be secured because of fire danger.

Board member Guido advised that the presentation on this case was based only on staff recommendations. Assistant City Attorney Vineyard advised that they cannot proceed due to lack of quorum.

Chairman Sanchez requested to see slide exhibit 5 showing the detached garage. Mr. Sanchez questioned why on the demolition of the structure and was informed that it cannot be rehabilitated.

In light of lack of quorum, a motion was made by Armando Jimarez, seconded by Chuck Taylor to postpone for 60 days, unanimously passed.

- V. Public hearing to determine if the property located at 201 S. Glenwood 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 owners of this property are identified as Francisco G. Rodriguez and Josefina R. Rodriguez (record owner(s), and they have been notified of this hearing.

Ron Roth, Chief Building Inspector introduced the case to the commission.

The board was informed that the owner has complied with the requirements; therefore, this case was not being presented to the commission.

VI. Update(s)

Chief Building Inspector Ron Roth provided an update on the following cases:

437 De Leon, the property owners have complied with securing and cleaning the property.
5649 Saplinas there was still pending action to be taken by the City of El Paso.

VII. Adjournment

Motion made by Al Jurado seconded by Armando Jimarez to adjourn this meeting was unanimously carried. The meeting adjourned at 6:29 p.m.