

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"
2ND FLOOR, CITY COUNCIL CHAMBERS
JANUARY 28, 2009
5:30 P.M.**

MINUTES

The Building & Standards Commission Panel "A" held a public hearing in City Council Chambers, 2nd floor of the City Hall Building on Wednesday, January 28, 2009 at 5:30 p.m. with the following members present:

Board Members Present:

Michael Bray (Chairman)
Carl Robinson
Greg Bowling
Ken Walters
Margie Desrosiers
Tommy Razloznik
Roman Hernandez

Others Present:

Tom Maguire, Chief Building Inspector
Mark Shoosmith, Assistant City Attorney
Nellie Avalos, Residential Inspector
Robert Gonzalez, Residential Inspector
Nancy Spencer, Recording Secretary
Mara Portillo, Interpreter

Absent Members

Fernando Santana

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Chairman Michael Bray at 5:38 p.m.

II. Approval of minutes for the Building and Standards meeting held November 25, 2008

Motion made by Carl Robinson seconded by Tommy Razloznik to approve the November 25, 2008 minutes, unanimously carried.

III. Changes to the agenda

Tom Maguire, Chief Building Inspector advised that there were no changes to the agenda.

Regular Items:

IV. On November 25, 2008, a recommendation was made to postpone this case until January 28, 2009, to allow time for an interpreter to be present to interpret for the property owner. Public hearing to determine if the property located at 7305 Dale Road, 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 September 25, 2008. The owners of this property,

Remedios and Sylvia Alvarez, Victor Manuel Alvarez and Victor Manuel Alvarez as trustee for Omar Alvarez, 2207 Edgebrook Avenue, Modesto, CA 95354 (the "Trustee"), have been notified of the violations at this property.

Tom Maguire, Chief Building Official was present for discussion.

Robert Gonzalez, Residential Inspector was present for discussion.

Remedios and Sylvia Alvarez, property owners and Christina Alvarez, daughter of the property owners were present for discussion.

Eddie Holguin, electrician hired by the property owner was present for discussion.

Translation for the property owner was provided by Ms. Mara Portillo.

To insure receipt of all correspondence, the property owners provided a mailing address of 707 West Dewey, Blackwell, Oklahoma, 74631.

A motion was made by Carl Robinson and seconded by Margie Aguilar-Desrosier to allow 30 days to allow time for the property owner to hire a certified architect to submit plans and 90 days to rehabilitate the property.

After further discussion, Commission member Carl Robinson requested to have his motion withdrawn.

A second motion made by Margie Aguilar-Desrosiers seconded by Gregory Bowling to accept staff recommendations carried with 3 ayes, 2 nays and 1 abstention.

Mark Shoesmith, Assistant City Attorney requested a verbal count of the vote on the motion made.

**Tommy Razloznik- Nay
Carl Robinson-Abstained
Greg Bowling - Aye
Ken Walters- Nay
Roman Hernandez-Aye
Margie Aguilar Desrosiers-Aye**

Chairman Michael Bray broke the tie voting in favor of the staff recommendations.

The owners have been notified of the property maintenance violations at this property, to date there has been no corrective action taken, no contractor has come forward, plans have not been turned in nor required permits obtained and therefore the Department recommends that it be found:

1. That the structures be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and

2. That the structures are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 3. That the structures' certificate of occupancy remain revoked; and
 4. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
 5. That the property be secured and maintained secured within 30 days.
 6. That plans be submitted to the City of El Paso and that permits be obtained before any work is done on the property.
 7. That the property owners be given 90 days to obtain the required permits and bring the property into substantial compliance with the codes requiring minimum standards for occupancy
 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 to include demolition.
- V. Public hearing to determine if the property located at 6512 Imperial Ridge, 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 24, 2008. The owners of this property, Elbert Harrington, Rosa De La Cruz, 6512 Imperial Ridge Drive, El Paso, Texas 79912 (the "Owners"), have been notified of the violations at this property.

Nellie Avalos, Residential Inspector was present for discussion.

Motion made by Tommy Razloznik, seconded by Carl Robinson to accept staff recommendations, unanimously carried.

1. The owner has been notified of the violations at this property, to date there has been no response or corrective action taken, and therefore the Department recommends that it be found:
 2. That the structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
 3. That the structure is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 4. That the structure's certificate of occupancy be revoked; and
 5. That the structure be secured within thirty (30) days and maintained secure until rehabilitated; 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 9043 Alameda 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 September 12, 2008. The owners of this property,

Charles T. Nowlin and Mike Bumgardner (the "Owners"), have been notified of the violations at this property.

Nellie Avalos, Residential Inspector was present for discussion.

Motion made by Roman Hernandez, seconded by Margie Aguilar-Desrosiers to accept staff recommendations unanimously carried.

The owner has been notified of the 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 be secured within thirty (30) days and maintained secure until rehabilitated; and
5. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (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.

XI. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:00 p.m.

Michael Bray, Chairman
Panel "A"

Tom Maguire, C.B.O., Chief Building Inspector
Development Services Department