

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"
2ND FLOOR, CITY COUNCIL CHAMBERS
MARCH 31, 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 Tuesday, March 31, 2009 at 5:30 p.m. with the following members present:

Board Members Present:

Michael Bray (Chairman)
Carl Robinson
Greg Bowling
Herschel Stringfield (alternate)
James Ratliff (alternate)
Roman Hernandez

Others Present:

Tom Maguire, Chief Building Inspector
Bill Stern, Chief Building Inspector
Elaine Hengen, Senior Assistant City Attorney
Nellie Avalos, Residential Inspector
Robert Gonzalez, Residential Inspector
Nancy Spencer, Recording Secretary

Absent Members

Margie Aguilar-Desrosiers
Tommy Razloznic
Kenneth Walters
Fernando Santana

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Chairman Michael Bray at 5:40 p.m.

II. Approval of minutes for the Building and Standards meeting held January 28, 2009

Correction was made to the minutes on page 2 reference the vote made by the commission for Item IV, 7305 Dale Road. The minutes stated that there was a tie after commission member Carl Robinson abstained from voting on Item 4. Instead of a tie, the minutes should reflect that there were 4 ayes voting in favor of the motion and 3 nays voting against the motion.

Motion made by Carl Robinson seconded by Roman Hernandez to approve the November 25, 2008 minutes, with the noted correction unanimously carried.

III. Changes to the agenda

Bill Stern, Chief Building Inspector advised that there were no changes to the agenda.

Regular Items:

- IV. Public hearing to determine if the property located at 3911 Nations 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 3, 2009. The owners of this property, Tirso Silva Ballesteros, 3911 Nations Avenue, El Paso, Texas 79930, Paul Baumgartner, 11212 Montwood, El Paso, Texas 79936 and Paul Baumgartner c/o Anderson, Anderson & Bright, 1533 Lee Trevino, Ste 205, El Paso, Texas 79936 (the “**Owners**”), have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Robert Gonzalez, Residential Inspector was present for discussion.

Sylvia Zanella from Code Enforcement was present for discussion.

A motion was made by Carl Robinson and seconded by Gregory Bowling to accept staff recommendations unanimously carried.

The owners have 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 main structure and accessory 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 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 be revoked; and
 4. That the main structure can be repaired; and
 5. That the main structure be secured and maintained secure within thirty (30) days; and
 6. That the accessory structure be demolished within thirty (30) days; and
 7. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
 8. That upon notification of the Building and Standards Commission order to all interested parties 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 326 E. Borderland 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 January 22, 2009. The owners of this property, Mary Martinez, 8700 Castner Dr., El Paso, Texas 79907-1857, Victor H. Falvey, (Trustee), 8732 Alameda Avenue, El Paso, Texas 79907, Jose Duran d/b/a GJM Enterprises, Inc., P. O. Box 13441, El Paso, Texas 79913 and Charles Haddad, c/o Victor H. Falvey,

8732 Alameda, El Paso, Texas 79907 (the “**Owners**”) have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Rodolfo Valles, Residential Inspector was present for discussion.

Sylvia Zanella from Code Enforcement was present for discussion.

Guadalupe Hernandez, President of GGM Enterprises and representative for the property was present for discussion and advised that she has filed an affidavit advising she has no interest in the property.

Motion made by Hershel Stringfield, seconded by Carl Robinson to accept staff recommendations, unanimously carried.

The owners have 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 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 be revoked; and
 4. That the main structure be vacated within thirty (30) days; and
 5. That the main structure can be repaired; and
 6. That the main structure be secured within thirty (30) day and maintained secure until rehabilitated; and
 7. That the accessory structures be demolished within thirty (30) days; and
 8. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
 9. That upon notification of the Building and Standards Commission order to all interested parties 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 1017 River 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 13, 2009. The owner of this property, Bank of America, N.A.475 Crosspoint Parkway, Getzville, New York 14068-9000 (the “**Owner**”) has been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Nellie Avalos, Residential Inspector was present for discussion.

Sylvia Zanella from Code Enforcement was present for discussion.

Motion made by Roman Hernandez, seconded by James Ratliff to accept staff recommendations unanimously carried.

The owners have 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 main building and accessory 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 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 be revoked; and
 4. That the structures can be repaired; and
 5. That the structures 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.
- VII. Public hearing to determine if the property located at 208 Ward, 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 11, 2009. The owner of this property, Marcelina Martinez, 208 Ward Street, El Paso, Texas 79901 (the "**Owner**") has been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Nellie Avalos, Residential Inspector was present for discussion.

Sylvia Zanella from Code Enforcement was present for discussion.

Alejandro Bustos, representative for Marcelina Martinez was present for discussion.

Motion made by Carl Robinson, seconded by Gregory Bowling to accept staff recommendations unanimously carried.

The owners have 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 main building and accessory 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 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 be revoked; and
- 4) That the structure can be repaired; and
- 5) That the structures be secured and maintained secure 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 notification of the Building and Standards Commission order to all interested parties 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. Adjournment

Motion was unanimously carried to adjourn this meeting at 6:16 p.m.

Michael Bray, Chairman
Panel "A"

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