

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"
2ND FLOOR, CITY COUNCIL CHAMBERS
FEBRUARY 23, 2011
5:30 P.M.**

MINUTES

The Building & Standards Commission Panel "B" held a public hearing in City Council Chambers, 2nd floor of the City Hall Building on Wednesday, February 23, 2011 at 5:30 p.m. with the following members present:

Board Members Present:

Roman Bustillos (Chairman)
Ira Barbe
James Erickson
James Ratliff (alternate)
Paul Zacour
Andrew Haggerty
Carlos Torres (alternate)

Others Present:

Kurt Fenstermacher, Deputy Director
Bill Stern, Deputy Building Official
Cynthia Osborn, Assistant City Attorney
Nellie Avalos, Building Inspector
Sam Mendoza, Building Inspector
Robert Gonzalez, Building Inspector
Sergio Melendez, Building Combination Inspector
Supervisor
Zully Davila, Building Inspector
Sonya Calahan, Building Inspector
Lucy Acosta, Recording Secretary

Absent Members:

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "B" was called to order by Chairman, Roman Bustillos at 5:35 p.m.

II. Approval of minutes for the meeting held October 27, 2010

Motion made by Ira Barbe, seconded by Paul Zacour to approve the October 27, 2010 minutes, unanimously carried.

III. Any changes to the agenda

There were no changes to the agenda.

Regular Items:

- IV. Public hearing to determine if the property located at 3429 Rivera, 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 26, 2010. The owners Carrie Agent Brown and Leatrice Agent Saunders, 3429 Rivera Ave., El Paso, Texas, 79905 and Agent RD % Leatrice A. Saunders, 112 Eaton Ct., Nashville, TN, 37216, (the "**Owners**"), have been notified of the violations at this property.

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

Nellie Avalos, Building Inspector, presented the case.

Chair Bustillos asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

Motion made by James Erickson, seconded by Carlos Torres, to accept staff recommendations, unanimously carried. (6-0 vote)

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 structures' 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.
- V. Public hearing to determine if the property located at 2219 Bassett 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 4, 2010. The owner Ana Flores de Gomez, 2219 Bassett Avenue, El Paso, Texas, 79901 (the "**Owner**"), has been notified of the violations at this property.

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

Nellie Avalos, Building Inspector, presented the case.

Chair Bustillos asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

Motion made by Ira Barbe, seconded by Andrew Haggerty, to accept staff recommendations, unanimously carried. (6-0 vote)

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 structures are 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 cannot be rehabilitated; and
5. That the structures 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 10457 Hodges Circle, 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 27, 2010. The owner Virginia Helen Burton, 10457 Hodges Circle, El Paso, Texas, 79924 (the "**Owner**"), has been notified of the violations at this property.

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

Robert Gonzalez, Inspector, presented the case.

Chair Bustillos asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

Motion made by Paul Zacour, seconded by Ira Barbe, to accept staff recommendations, unanimously carried. (6-0 vote)

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 structures' 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 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 610 Canal 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 Septembr 1, 2010. Ernesto Alegre and Elva A. Cova, 2067 East Hacienda Avenue, Las Vegas, Nevada, 89119 and Ernesto Alegre and Elva A. Cova, 3538 Audobon, Las Vegas, Nevada, 89147, (the "**Owners**"), have been notified of the violations at this property.

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

Sonya Calahan, Building Inspector, presented the case and read a letter from the owner, Elva Cova noting that this property is in a historic district.

Chair Bustillos asked if there was anyone in the public who wished to speak in favor or against this request.

There was public comment from Miguel Rodriguez who advised he was trying to preserve the area and is not in favor of the house be demolished and from Luis Santiesteban who informed the commission that he was interested in purchasing the house and refurbishing it.

Bill Stern, Deputy Building Official suggested that Mr. Santiesteban get in contact with an engineer to determine if the house can be refurbished.

Motion made by Andrew Haggerty, seconded by Paul Zacour to postpone this item for sixty (60) days to allow Mr. Santiesteban the opportunity to purchase the house, unanimously carried. (6-0 vote)

- VIII. Public hearing to determine if the property located at 5104 Alps Dr., 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 November 12, 2010. Gustavo Gonzalez, 5104 Alps Dr., El Paso, Texas, 79904, Gustavo Gonzalez, 757 Bluff Canyon Cir., El Paso, Texas, 79912, Gustavo Gonzalez, 523 Sun City Pl., El Paso, Texas, 79928 and Atlantic Credit & Finance, Inc., Lienholder, c/o Hull & Associates, P.C., 6200 Savoy #440, Houston, Texas, 77036, (the “**Owners**”), have been notified of the violations at this property.

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

Robert Gonzalez, Building Inspector, presented the case.

Mr. Gustavo Gonzalez, owner of the property, requested an additional sixty (60) days to refurbish the house.

Ismael Navarrete, who is related to Mr. Gonzalez, advised that they will obtain all the necessary permits from the City to refurbish the house.

Motion made by James Erickson, seconded by Ira Barbe, to accept staff recommendations unanimously carried. (6-0 vote)

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 structures' 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 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.

- IX. Update on cases heard by the commission to determine if recommendations have been complied with.

The commission was provided with an update of the status of the cases previously heard by this panel.

- X. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:29 p.m.

Roman Bustillos, Chairman

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