

CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"
May 28, 2014
5:30 P.M.

MINUTES

The Building & Standards Commission Panel "A" held a public hearing at the El Paso City Council Chambers, Wednesday, May 28, 2014 at 5:30 p.m. with the following members present:

Board Members Present:

Al Jurado (Acting Chairman)
Charles Taylor
Conrad Conde (alternate)
Paul Gilcrease
Jesse Sanchez
Teresa Munoz

Others Present:

Elda Rodriguez-Hefner, Code Compliance Manager
Wendi Vineyard, Assistant City Attorney
Ron Roth, Chief Building Inspector
Nellie Avalos, Building Inspector
Nellie Avalos, Building Inspector
Janeth Loya, Building Inspector
Diana Cedillo, Senior Office Assistant

AGENDA

- I. Call to Order
- II. The Building & Standards Commission meeting, Panel "A" was called to order by Acting Chairman Al Jurado at 5:50 p.m.

Chairman Al Jurado swore in all witnesses present to give testimony on the cases to be heard.

Motion made by Paul Gilcrease, seconded by Conrad Conde to approve the March 26, 2014 minutes unanimously passed.

Regular Items:

- III. Public hearing to determine if the property located at 716 Myrtle, 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 Maria Elena Garza De Vargas and she has been notified of this hearing.

Chief Building Official, Ron Roth read the item for the record.

Building Inspector Nellie Avalos presented the case.

Inspector Avalos gave a brief chronology on the history on the property and the condition that it was found in. The commission was advised that the property was open and abandoned, accessible, and being used as a harborage by unwanted persons. In addition, the property had signs of deterioration and vandalism with trash, debris and human waste around the property..

Acting Chairman Al Jurado asked if the commission had questions. He also asked if the owner was present for comment or if there was anyone present to speak on the owner's behalf or for public comment.

Board member Chuck Taylor commented that since the property was open and readily accessible, to have the property owner take measures in securing and boarding up the property before the property was condemned for demolition.

Ms. Maria Elena Garza, property owner for 716 Myrtle was present for public comment. Ms. Garza informed the commission that she purchased the property approximately 2 years ago. She advised that she tried to obtain assistance to rehabilitate the property but was unable to find help. The commission was advised that Ms. Garza herself contacted the police department to report the people breaking in and staying there on the property. The commission asked Ms. Garza if she could board the property, and were informed by Ms. Garza that she has tried to board it up and secure the property, however, people keep breaking in.

Board member Taylor suggested to Ms. Garza that since people are getting into and staying the property to find some way to secure it possibly by fencing. Ms. Garza advised that she is still trying to obtain help to help to demolish the property.

Motion made by Conrad Conde seconded by Paul Gilcrease to accept staff recommendations, unanimously passed.

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 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 structure's 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 maintained secure thereafter; and
 6. That the unpermitted alterations be demolished within thirty (30) days, and
 7. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days and maintained clean thereafter; and
 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.
- IV. Public hearing to determine if the property located at 129 N. Pendell Rd., 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 Susana M De Lopez and she has been notified of this hearing.

Ron Roth, Chief Building Inspector, read the item into the record and presented the case. Janeth Loya, Building Inspector, presented the case.

Inspector Loya gave a brief chronology on the history of the property. The commission was informed that the property had sustained fire damage with the rear exterior wall falling. Attempts to secure the property were unsuccessful. In addition, there is trash, weeds, debris and combustibles throughout the property.

Acting Chairman Al Jurado asked if the commission had questions. He also asked if the owner was present for comment or if there was anyone present to speak on the owner's behalf or for public comment.

Brenda Lopez, daughter of the property owner was present for public comment.

Motion made by Paul Gilcrease, seconded by Al Jurado, to accept staff recommendations, unanimously carried.

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 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 structures cannot be rehabilitated; and
5. That the structure be demolished within thirty (30) days and; and
6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days and maintained clean 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.

Member Conrad Conde left the meeting at 6:30p.m. A quorum remained.

- V. Public hearing to determine if the property located at 3811 Pera 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 is identified as Liliana Ceballos and Francisco Javier Perez (record owner(s), and they have been notified of this hearing.

Ron Roth, Chief Building Inspector, read the item into the record and presented the case. Janeth Loya, Building Inspector, presented the case.

Inspector Loya gave a brief chronology on the history of the property. The commission was advised that the property was open and abandoned. In addition, the property was deteriorated and had signs of vandalism all around. In addition, there were signs that some of the apartments were occupied by unwanted persons.

Acting Chairman Al Jurado asked if the commission had questions. He also asked if the owner was present for comment or if there was anyone present to speak on the owner's behalf or for public comment.

Ms. Liliana Ceballos, one of the property owners was present for public comment.

Motion made by Paul Gilcrease, seconded by Teresa Munoz to accept staff recommendations with the stipulation that the structures be secured within thirty (30) days until rehabilitated, and that a Master Permit be acquired to rehabilitate the property, unanimously passed.

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 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 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 structures can be rehabilitated; and
5. That the structures be secured within thirty (30) days and maintained secure thereafter; and
6. That a master permit be acquired to rehabilitate the structures; and
7. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days and maintained clean thereafter; and
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.

Vi. Public hearing to determine if the property located at 469 Myra, 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 Jesus Gomez & Maria (record owner(s), and they have been notified of this hearing.

Ron Roth, Chief Building Inspector, read the item into the record and presented the case. Janeth Loya, Building Inspector, presented the case.

Inspector Loya gave a brief chronology on the history of the property. The commission was advised this property had been previously been condemned on November 28, 2012, to be demolished and cleared of all weeds, trash and debris, and maintained clean thereafter. The property was found to be abandoned and open and accessible. There are weeds, trash and accumulation of combustibles throughout the premises and evidence of fire being started inside the property. The commission was also advised that the property seems to be occupied by unwanted persons.

Acting Chairman Al Jurado asked if the commission had questions. He also asked if the owner was present for comment or if there was anyone present to speak on the owner's behalf or for public comment.

The property owners were not present for public comment.

Motion made by Paul Gilcrease, seconded by Teresa Munoz, 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 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 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 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 maintained clean 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.

Chief Building Official advised the commission that a new chairperson will need to be nominated at the next Building and Standards Commission Panel B meeting. The board was also informed that the Building and Standards Commission meetings will eventually be held in the new City Development Office located at 801 Texas.

IV. Adjournment

Motion made to adjourn the meeting was unanimously carried. The meeting adjourned at 7:04 p.m.

Acting Chairman Al Jurado, Panel "A"

Ron Roth, C.B.O., Chief Building Inspector
City Development Department