

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"
2ND FLOOR, CITY COUNCIL CHAMBERS**

June 24, 2009

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, June 24, 2009 at 5:30 p.m. with the following members present:

Board Members Present:

Roman Bustillos
William Correa
Jimmy Stevens
James Ratliff (alternate)
Hershel Stringfield (alternate)
Anibal Olague

Others Present:

Tom Maguire, Chief Building Inspector
Bill Stern, Chief Building Inspector
Mark Shoesmith, Assistant City Attorney
Nellie Avalos, Residential Inspector
Robert Gonzalez, Residential Inspector
Sergio Melendez, Combination Building Inspector
Supervisor
Robert Gonzalez, Residential Inspector
Raul Bueno, Residential Inspector
Nancy Spencer, Recording Secretary

Absent Members

Fred Perez
Hector Zamora
Paul Zacour

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 April 29, 2008.

Motion made by William Correa seconded by James Ratliff to approve the minutes for the April 29, 2009 meeting unanimously carried.

III. Any changes to the agenda

Bill Stern advised that there were no changes to the agenda.

Regular Items:

IV. Public hearing to determine if the Building and Standards Commission Order of December 20, 2006, for the demolition of the property located at 2731 Portland Ave., in the City of El Paso (legal description on file with the City Clerk) should continue to be stayed, and if the Building and Standards Commission Order of October 29, 2008 is in compliance and if not, to determine penalties. The owners of this property, The City of El

Paso as Trustee for the City of El Paso, R. E. Thomason General Hospital, El Paso Independent School District, El Paso County Government, El Paso Community College, 2 Civic Center Plaza, El Paso, Texas 79901 and the El Paso Preservation Alliance, P.O. Box 3670 El Paso Texas 79923 (the "**Owners**"), have been notified of the violations at this property.

Bill Stern, Chief Building Inspector, was present for discussion.

Tom Maguire, Chief Building Inspector, was present for discussion.

Raymond Rutledge from the Preservation Alliance and Geoffrey Wright architect for the project were present for discussion.

The commission was advised that the Preservation Alliance now has obtained the deed to the property and an engineering evaluation report has been submitted. A request was made for an extension of time for an opportunity to work with the city in restoring and rehabilitating this property.

Sylvia Zanella, Code Compliance Inspector was present for discussion.

Motion made by Jimmy Stevens seconded by Anibal Olague to accept staff recommendations with the modification to allow 60 days to obtain a building permit unanimously carried.

The owner and the representative have been notified of the property maintenance violations at this property, to date there has been no corrective action taken and therefore the Department recommends that it be found:

- 1) That all the required documents for the buildings rehabilitation be submitted to development services department and required permits obtained within thirty (30) days; and
 - 2) That a final inspection be obtained within (120) one hundred and twenty days from the date the permit is issued; and
 - 3) 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 5959 Ybarra Court., 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 March 12, 2009. The owners Juan F. Jacquez and Maria Jacquez, 5959 Ybarra Court, El Paso, Texas, 79905, (the "**Owners**"), have 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, Code Compliance Inspector was present for discussion.

Motion made by William Correa seconded by Jimmy Stevens 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 can be rehabilitated, and
- 5) That the main structure be secured within thirty (30) days and maintained secure until rehabilitated; 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 thirty (30) days; 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.

Bill Stern, Chief Building Inspector was present for discussion.

- VI. Public hearing to determine if the property located at 5727 Macias Street., 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 2, 2007. The owners Abraham Ortega and Maria Marisela Ortega, 5727 Macias Street, El Paso, Texas, 79905 and Rafael Paez and Mandrea Paez, 403 East Fourth, Muleshoe, Texas 79347, (the “**Owners**”), have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Raul Bueno, Residential Inspector was present for discussion.

Sergio Melendez, Combination Building Inspection Supervisor was present for discussion.

Sylvia Zanella, Code Compliance Inspector was present for discussion.

Adriano Ortega, son of the property owner was present for discussion. He advised the commission that he was waiting for his mother to return home and give him authorization to obtain a demolition permit.

Motion made by William Correa seconded by Jimmy Stevens 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 main structure located in the front cannot be rehabilitated, and
- 5) That the main structure located in the front 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.

VII. Public hearing to determine if the property located at 2710 N. Piedras Street, 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 April 2, 2009. The owners Antonio R. Chavez (a/k/a A.R. Chavez and Luz G. Chavez, 2710 N. Piedras, Street, El Paso, Texas, 79930, Luz Guerra, 2710 N. Piedras Street, El Paso, Texas, 79930, Mike Chavez, 2710 N. Piedras, Street, El Paso, Texas, 79930, Robert Chavez, 626 Stallion Way, El Paso, Texas, 79922, Humberto S. Enriquez, Estate of A.R. Chavez, 1212 Montana Avenue, El Paso, Texas, 79902 (the "Owners"), 2 Civic Center Plaza, El Paso, Texas 79901, have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Robert Gonzalez and Nellie Avalos, Residential Inspectors were present for discussion.

Nellie Avalos, Residential Inspector advised the commission that a fire occurred on the accessory structure located on the property in March 2009.

Sylvia Zanella, Code Compliance Inspector was present for discussion.

Ricardo Gonzalez, legal representative for the property owners was present for discussion.

Motion made by Jimmy Stevens seconded by Herschel Stringfield 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 can be rehabilitated, and
- 5) That the main structure be secured within thirty (30) days and maintained secure until rehabilitated; 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 thirty (30) days; 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; and
- 9) That a lien be placed on the property for the work which will be done by the City.

VII. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:26 p.m.

Roman Bustillos, Chairman

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