

**CITY OF EL PASO, TEXAS
BUILDING AND STANDARDS COMMISSION BOARD PANEL "A"
2nd FLOOR, CITY COUNCIL CHAMBERS
July 25, 2007**

MINUTES

The building & Standards Commission Panel "A" held a public hearing in City Council Chambers 2nd Floor of the City Hall Building on Wednesday, July 25, 2007, at 5:30 p.m. with the following members present:

Board Members Present:

Tedd Richardson
Carl Robinson
Paul Zacour
Sema Gonzalez
Francisco D. Salazar

Others Present:

Larry F. Nichols, Building Official
Elaine Hengen, Senior Assistant City Attorney
Bill Stern, Chief Building Inspector
Leo Casso-Lopez, Building Inspector Supervisor
Zuleika Davila, Building Inspector
Manuela Avalos, Building Inspector
Ernesto Rodriguez, Assistant City Attorney
Rocio Genera, Recording Secretary

Late Members:

John Cordova 5:33 p.m.
Michael Bray, 5:40 p.m.

Absent Members:

Fred Dalbin

Chair Tedd Richardson called the meeting called to order at 5:30 p.m.

AGENDA

II. Approval of minutes for the meeting held May 30, 2007.

Motion made by Carl Robinson, seconded by Paul Zacour to accept approval of the minutes, unanimously carried.

Regular Items:

III. Public hearing to determine if the property located at 138 Palla Place 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 3, 2007. The owners of this property, Rutilio and Ysidra Lopez, (the "Owners"), 138 Palla Place, El Paso, Texas 79907, have been notified of the violations at this property.

Zully Davila gave presentation.

Property owner was not present for discussion.

Motion made by Carl Robinson, seconded by John Cordova to accept staff recommendations unanimously carried.

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 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 cannot be repaired; and
5. That the main structure be demolished within 30 days; and accessory building be secured and maintained secured within 30 days; and
6. That the premises be cleaned of all weeds, trash, and debris within 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.

IV. Public hearing to determine if the property located at 4020-4024 Nations Ave. 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 7, 2007. The owners of this property, Robert Edward Malooly, 3900 Flamingo, El Paso, Texas 79902, Marsha Ann Malooly Chanoux, 622 Gary Lane, El Paso, Texas 79922, Georgette Malooly, 4030 Montana, El Paso, Texas 79903, Barbara Ellen Malooly, 4030 Montana, El Paso, Texas, 79903, Kathleen Mary Malooly Campbell, 4030 Montana, El Paso, Texas, 79903, (the "Owners"), have been notified of the violations at this property.

Leo CassoLopez gave presentation.

Albert Malooly property owner was present for discussion.

Motion made by Michael Bray, seconded by John Cordova to accept staff recommendations unanimously carried.

The owner has been notified of the violations at this property to secure and clean the premises, to date there has been no response or corrective action taken, 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 can be repaired; and
5. That the structure be vacated, secured and maintained secure within 30 days; and
6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 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 606 West Missouri Ave. 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 16, 2007. The owners of this property, Jesus Apodaca and Rosela Apodaca (the "Owners") have been notified of the violations at this property.

Nellie Avalos gave presentation.

Bill Stern was present for presentation.

Ray Mancera, representative of property owner was present for discussion.

Motion made by Michael Bray, seconded by John Cordova to accept staff recommendations unanimously carried.

The owner has been notified of the violations at this property to secure and clean the premises. To date there has been no response or corrective action taken; 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 building 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 can be repaired; and
 5. That the structure be secured and maintained secure within 30 days; and
 6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 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 5031 Rosa Ave., 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 18, 2007. The owner of this property, William Ertman (the "Owner") has been notified of the violations at this property.

Nellie Avalos made presentation.

Property Owner was not present for discussion.

Motion made by Carl Robinson, seconded by Michael Bray to accept staff recommendations, unanimously carried.

The owner has been notified of the violations at this property to secure and clean the premises. To date there has been no response or corrective action taken; 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 buildings 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 primary structure can be repaired; and

5. That the illegal dilapidated additions and accessory structure be demolished within 30 days, and
6. That the primary structure be secured and maintained secure within 30 days; and
7. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
8. That all junk vehicles be removed within 30 days, and
9. 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 Building and Standards Commission Order for the property located at 1319 E. Seventh Street in the City of El Paso (legal description on file with the City Clerk) is in compliance with the order of May 30, 2007, and if not to determine penalties. The owner of this property, Marco Antonio Vera, (the "Owner"), 5849 Teal Lane, El Paso, Texas 79924, has been notified of the violations at this property.

Larry Nichols gave an overview of the case to the board.

Bill Stern made presentation.

Property Owner Marco Vera and James Lawler, principal of Guillen School, were present for discussion.

Motion made by John Cordova, seconded by Sema Gonzalez to accept staff recommendations, unanimously carried.

To date the Building and Standards Commission Order has not been complied with.

The Department recommends that the Building and Standards Commission make the following findings:

1. That the owner of said property Marco Vera, 5849 Teal Lane, El Paso, Texas 79924 was notified of the requirements of Section 18.50 and the need to comply with these requirements; and
2. That after notification, the structures were vacated and secured, the owner cleaned the property of all weeds, trash and debris within 30 days; and
3. To date no building plans, specifications, drawings, reports from design professionals and any other required documents to determine if the structures can be repaired, have been presented to this department.

The Department recommends that the Building and Standards Commission order:

1. That the owner has not complied with the Building and Standards Commission Order of May 30, 2007; and
2. That the Building and Standards Commission order the Deputy Director of Development Services to demolish the structures, clean and maintain the premises clean of all weeds, trash and debris.
3. That the City Clerk file a certified copy of the Order with the County Clerk of the County of El Paso; and

XI. Adjournment

Motion was unanimously carried to adjourn this meeting at 6:27 p.m.

Tedd Richardson, Chairperson

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