

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"
2ND FLOOR, CITY COUNCIL CHAMBERS
July 25, 2012
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 Wednesday, July 27, 2012 at 5:30 p.m. with the following members present:

Board Members Present:

Al Jurado
William C. Helm II
Robert C. Filarski
Linda Vick
Ben Bohannon (alternate)
Michael Bray (alternate)
Ira Barbe
Andrew Haggerty (Panel A)

Others Present:

Bill Stern, Deputy Building Official
Mathew Cross, Assistant City Attorney
John Batoon, Assistant City Attorney
Roger Iveson, Chief Building Inspector
Nellie Avalos, Building Inspector
Trenda Rocha, Administrative Assistant
Nancy Spencer, Recording Secretary

Absent Members:

Jessie Sanchez
Paul Gilcrease

AGENDA

Call to Order

- I. The Building & Standards Commission meeting, Panel "A" was called to order by Chairman Robert Filarski at **5:45 p.m.**

Chairman Robert Filarski sworn in all witnesses present to give testimony on the cases heard.

Regular Items:

- II. Public hearing to determine if the property located at 517 S. Mesa Street, in the City of El Paso, is a dangerous structure and determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, JB4 Prop., L.P., Attn.: Joseph Bencomo, III, Registered Agent and JB#, Inc., General Partner, Attn.: Joseph Becomo, President and they have been notified of this hearing.

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

Roger Iveson, Chief Building Inspector presented the case.

A copy of a proposal for the demolition of the property was provided to board members. Bill Stern advised that Mr. Bencomo advised he was in agreement with staff recommendations for demolition of the property and is requesting approval of the recommendations made. The commission was also informed that Mr. Bencomo had hired a demolition contractor to conduct an asbestos inspection

Commission member Michael Bray asked if the asbestos study met state and federal standards and was advised by Mr. Stern that the asbestos must be removed from the building before it is

demolished. Mr. Stern also advised that Mr. Bencomo was advised of the possible increased cost for demolition because of the asbestos study.

Motion made by Andrew Haggerty, seconded by Michael Bray 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 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 structure's 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.
- III. Public hearing to determine if the property located at 407 S. Concepcion Street, in the City of El Paso, is a dangerous structure and determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, Felipe Rayos and Marcos and Virginia Palacio, and they have been notified of this hearing.

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

Kevin Harrell, Building Inspector presented the case.

There was no public comment on the case made.

Motion made by Ira Barbe, seconded by Michael Bray and Andrew Haggerty 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 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 structure's 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.

IV. Public hearing to determine if the property located at 2524 Porter Avenue, in the City of El Paso, are dangerous structures and determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, Benita Melendez and Carman A. Melendez and they have been notified of this hearing.

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

Nellie Avalos, Building Inspector presented the case.

Linda Vick asked for clarification on the process for demolition and cleanup of the property if the City of El Paso was to do the job. Mr. Stern advised that if the City did the demolition, a first lien would be placed on the property for the demolition and then a 2nd lien for the cleanup.

Commission member Robert Filarski asked if any contact has been made with owner regarding the property. Mr. Stern advised that no contact has been made.

Motion made by Michael Bray, seconded Ben Bohannon and Andrew Haggerty 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 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 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
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 2702 Porter Avenue, in the City of El Paso, is a dangerous structure and determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, Tomasa Ramirez, and they have been notified of this hearing.

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

Nellie Avalos, Building Inspector presented the case.

Eduardo Ramirez, husband of the property owner was present for public comment. Mr. Ramirez advised that a roofing permit and a general repair permit were obtained in June 2012.

Inspector Avalos advised that a structural engineer would be needed to check for evidence of structural damage.

Bill Stern advised the permits obtained in June 2012 were for general repairs.

John Batoon advised the property owner has 30 days from the date of the hearing to bring property into compliance. Mr. Ramirez requested an extension of time to comply with the order. Mr. Ramirez was advised by Mr. Stern and Inspector Avalos that he would have to submit plans, provide an engineer's report and comply with all the staff recommendations.

The commission was given the option of granting the property owner 60 days to comply with staff recommendations which included securing the property within 30 days.

Assistant City Attorney John Batoon advised the commission that they can require owner to secure and clean within 30 days or demolish the property and if not done so, the City would take on the job of securing or demolition of the property.

Mr. Ramirez was advised to secure the building, install fencing and be aware that if the engineer's report states the property cannot be repaired, he would not be reimbursed for any money he has invested on the repairs.

Motion made by Michael Bray's to board and secure the property within 30 days, and return to the commission within 60 days showing a plan on the reconstruction of the property, seconded by Linda Vick, unanimously passed.

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 structure's 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.

VI. Adjournment

Motion made to adjourn the meeting by Andrew Haggerty, seconded by Michael Bray was unanimously carried. The meeting adjourned at 7:25 p.m.