

**CITY OF EL PASO  
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"  
AUGUST 26, 2015  
5:30 P.M.**

**MINUTES**

The Building & Standards Commission Panel "B" held a public hearing at the El Paso City Hall, City Council Chambers, 1st Floor, Wednesday, August 26, 2015 at 5:30 p.m. with the following members present:

**Board Members Present:**

Michael Bray  
Randy Boggs  
Al Jurado (alternate)  
Stefanie Uribarri  
Conrad Conde (alternate)  
Angel Miguel Ochoa

**Others Present:**

Ron Roth, Chief Building Inspector  
Wendi Vineyard, Assistant City Attorney  
Alexandro Esparza, Building Inspector  
Cesar Grado, Building Inspector  
Janeth Loya, Building Inspector  
Nancy Spencer, recording secretary

**Board Members Absent:**

Fermin Dorado  
Roman Hernandez

**AGENDA**

Call to Order

I. The Building & Standards Commission meeting, Panel "B" was called to order by Chief Building Inspector, Ron Roth at 5:36 p.m.

II. Election of Chairman

Nomination made by Conrad Conde, seconded by Randy Boggs to elect board member Michael Bray as Chairman for Panel B, unanimously passed.

II Approval of the 2016 Building and Standards Commission meeting calendar dates.

**Motion made by Conrad Conde seconded by Angel Miguel Ochoa, to approve the 2016 BSC meeting calendar dates, unanimously passed.**

III. Approval of the October 29, 2014 minutes

**Motion made by Conrad Conde seconded by Al Jurado to approve the October 29, 2014 minutes passed.**

**Regular Items:**

- I. Public hearing to determine if the property located at 10537 Brisbane Way. in the City of El Paso, are dangerous structures and to determine if the owner will be ordered to secure, repair, remove or demolish the property. The owner of this property has been identified as Wells Fargo Bank NA (record owner(s), and they have been notified of this hearing.

Ron Roth, Chief Building Inspector, read the item into the record.

Alex Esparza, Building Inspector, presented the case and gave a brief chronology on the history of the property and the condition that it was found in.

Chairman Michael Bray asked the commission if they had questions regarding this case. He also asked if the owner or anyone else was present for public comment or to speak on behalf of the property owner.

The owner or representative was not present for public comment.

There was discussion on the case of mold found throughout the structure's ceilings and walls. Chairman Michael Bray asked that in replacing the entire drywall of the structure, would it need mold remediation. Mr. Roth advised yes, it would. Board member Angel Miguel Ochoa requested to amend the staff recommendations to include a mold remediation plan from a certified mold mediator as part of the final orders.

**Motion made by Miguel Angel Ochoa seconded by Conrad Conde, to accept staff recommendations and to include mold remediation by a certified mold mediator as part of the final recommendations, unanimously carried.**

The owner has been notified of the property violations at this property. To date there has been little or no response or corrective action taken, and therefore the Department 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 structural or service systems integrity, fire protection 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 remain secure thereafter; and
  6. Obtain a mold remediation plan from a certified mediator to rehabilitate the structure; and
  7. That the premises be cleaned of all weeds, trash, and debris within thirty (30) days and maintained clean thereafter; and
  8. That upon failure by the owners 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.
- II. Public hearing to determine if the property located at 7239 Stiles Dr. in the City of El Paso is a dangerous structure and determines if the owner will be ordered to secure, repair, remove or demolish the property. The owner of this property has been identified as Guadalupe Soto (certified owner(s)) and she has been notified of this hearing.

Ron Roth, Chief Building Inspector, read the item into the record.

Janeth Loya, Building Inspector Building Inspector, presented the case and gave a brief chronology on the history of the property and the condition that it was found in.

Chairman Michael Bray asked the commission if they had questions regarding this case. He also asked if the owner or anyone else was present for public comment or to speak on behalf of the property owner.

Sam Romo, representative for Triple AAA Construction was present for public comment. Mr. Romo advised that he obtained permits in December, 2014. However, the owner did not

comply with the payment process and Mr. John Trien recovered back the property. Mr. Romo advised that he wants to renew the permits and rehabilitate the structure.

Chairman Michael Bray asked if Mr. Trien is the owner of the property or was it Guadalupe Soto. Mr. Bray was advised that the property is still registered to Guadalupe Soto.

The owner, Guadalupe Soto was not present for public comment.

Mr. Romo added that Mr. Trien wanted to demolish the two front structures and rehabilitate the other structure. However, the permits have expired and Mr. Romo requested renewal of the permits.

Chairman Bray asked Mr. Romo if he and the owner would comply with the staff recommendations. Mr. Roth advised that he would have to review the plans to rehabilitate the property. Mr. Bray asked Mr. Roth if the staff recommendations can be revised and was advised that they can and permits can be obtained to rehabilitate the property.

**Motion made by Miguel Angel Ochoa seconded by Randy Boggs to accept staff recommendations, and unanimously carried.**

The owner has been notified of the property violations. To date there has been minimum 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 owner provide an engineer report for rehabilitation of dwelling #2; and
  4. That the owner obtain permits for demolition of dwelling #1, accessory structure and patio shed; and
  5. That the owner obtain permits for rehabilitation of dwelling #2; and
  6. That the premises be cleaned of all trash, and debris within (30) days and maintained cleaned 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.
- III. Public hearing to determine if the property located at 10141 Zebra Ct. in the City of El Paso are dangerous structures and determines if the owner will be ordered to secure, repair, remove or demolish the property. The owners of this property have been identified as Rey A Herrera and Melissa E. Herrera (record owner(s), and they have been notified of this hearing.

Ron Roth, Chief Building Inspector, read the item into the record.

Cesar Grado, Building Inspector presented the case and gave a brief chronology on the history of the property and the condition that it was found in. .

Chairman Michael Bray asked the commission if they had questions regarding this case. He also asked if the owner or anyone else was present for public comment or to speak on behalf of the property owner.

The owner was not present for public comment.

**Motion made by Conrad Conde seconded by Stephanie Uribarri 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 corrective action taken and therefore the Division recommends that it be found:

1. That Main dwelling and accessory structure are substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare.
2. That structures are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
3. That structure's certificate of occupancy be revoked; and
4. That main dwelling can be rehabilitated ; and
5. That main dwelling be secured within thirty (30) days and maintained secure thereafter; and
6. That 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 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.

Board member Conrad Conde left the meeting at 6:05 p.m. The board still had a quorum.

- IV. Public hearing to determine if the property located at 2316 Wyoming Ave.. in the City of El Paso are dangerous structures and determines if the owner will be ordered to secure, repair, remove or demolish the property. The owner of this property has been identified as Jesus G. Garcia (record owner(s), and he has been notified of this hearing.

Ron Roth, Chief Building Inspector, read the item into the record.

Alex Esparza, Building Inspector presented the case and gave a brief chronology on the history of the property and the condition that it was found in. .

Refugio De La Cruz Sr, and Refugio De La Cruz Jr. were present for public comment. Mr. De La Cruz Jr. advised the property was sold to a Mr. Gonzalez. Mr. De La Cruz advised that his father could no longer take care or rent out the property. He asked for an extension of time to straighten out the ownership on the tile. He advised that they want to rehabilitate the property and not demolish it. Mr. De La Cruz informed the board that they have obtained the services of an attorney to try to have Mr. Gonzalez relinquish the property back to them so that it can be fixed up and sold. At present, there was a prospective buyer interested in the property.

There was discussion on the taxes owed on the property. Chairman Bray advised that the commission was only addressing the condition of the property.

Inspector Esparza informed the commission that the only hold at present on the property was to obtain a master permit which has been pending since February, 2015. He advised that it had been two months since the last contact with Mr. De La Cruz. Demolition on the property was started without obtaining a permit. Plans were supposed to be brought in for review and approval since February, 2015 but as of this date, nothing has been brought in.

Chairman Bray recommended that the property be boarded up and cleaned within 30 days and return to the same board in 60 days with a plan of action. Mr. Bray also stated that permits can only be obtained by the owner of the property.

Chief Building Inspector Ron Roth advised that if this was a rental property, permits can only be obtained by a contractor. The structures in the back as they were possibly built without permits would have to be legalized.

Mr. De La Cruz advised that Ms. Veronica Rivera, prospective owner, would take responsibility for securing the property. Inspector Esparza advised that the property had been secured previously but has since been opened again. Mr. Rafael Yepiz, friend of Ms. Rivera, advised that she would obtain an engineer's report.

**Motion made by Stephanie Uribarri seconded by Randy Boggs to accept staff recommendations with the stipulation that the property be boarded up and secured within 30 days and to give the owner 60 days to return with plans, ownership and an engineers report for feasibility, unanimously carried.**

The owner has been notified of the property violations at this property. To date there has been little or no response or corrective action taken, and therefore the Department 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 structural or service systems integrity, fire protection and disposal of refuse; and
3. That the structures be boarded up and secured within thirty (30) days; and
4. That the owner returns to the commission within sixty (60) days and provide plans and an engineer's report describing the rehabilitation of the structures; and
5. That the premises be cleaned of all weeds, trash, and debris within thirty (30) days and maintained clean thereafter; and
6. That upon failure by the owners 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, to include demolition.

V. Update(s)

No updates were presented to the commission

IV. Adjournment

**Motion made to adjourn the meeting unanimously carried. The meeting adjourned at 6:35 p.m.**

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Michael Bray, Chairman, Panel "B"

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Ron Roth, Chief Building Inspector  
Building and Safety Division