

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"
2ND FLOOR, CITY COUNCIL CHAMBERS
September 24, 2008
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 Tuesday, September 24, 2008 at 5:30 p.m. with the following members present:

Board Members Present:

Carl Robinson
Tommy Razloznic
Hershel Stringfield (alternate)
Roman Hernandez
Kenneth Walters
Michael Bray

Others Present:

Tom Maguire, Chief Building Inspector
Bill Stern, Chief Building Inspector
Mark Shoosmith, Assistant City Attorney
Nellie Avalos, Residential Inspector
Robert Gonzalez, Residential Inspector
Nancy Spencer, Recording Secretary

Late Members

Margie Aguilar-Desrosiers 5:40 p.m.

Absent Members

Gregory Bowling

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Michael Bray, Chair at 5:32 p.m.

II. Approval of minutes for the meeting held July 30, 2008

Motion made by Carl Robinson seconded by Hershel Stringfield to approve the May 30, 2008 minutes, unanimously carried.

III. Any changes to the agenda

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

New board member Kenneth Walters was introduced.

Regular Items:

IV. Public hearing to determine if the property located at 193 Awbrey 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 11, 2008. The owner of this property, Eunice Aguilera Diaz, 245 N. Valencia, El Paso, Texas 79905 (the "Owner") and Stephen E.

Anderson and/or William B. Crout, Trustees for Jalil Ashra Fzadeh and Patricia Ashrafaadeh, 1533 Lee Trevino, Ste 205, El Paso, Texas 79935, have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Public comment was made by Guadalupe Rodriguez, former tenant at the property.

Sylvia Zanella from Environmental Services was present for discussion.

Jorge Sanchez from the Fire Department was present for discussion.

Board member Margie Aguilar-Desrosiers came in at 5:40 p.m.

Motion made by Carl Robinson, seconded by Herschel Stringfield 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 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 main structure be secured within thirty (30) days and maintained secure until rehabilitated; and
 5. That the accessory 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 6016 Redstone Lane, 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 August 18, 2008. The owners of this property, Michael E. Jones, 11049 Essex Fall Lane, El Paso, Texas 79934-3114 and 6016 Redstone Lane, El Paso, Texas 79924-4901 has been notified of the violations at this property.

Robert Gonzalez, Building Inspector was present for discussion.

Bill Stern, Chief Building Inspector advised the commission that the outside of the property has been cleaned of trash and debris.

Michael E. Jones, owner of the property was present for discussion and provided a mailing address of 5502 Fairbanks #47, El Paso, Texas 79924.

Motion made by Tommy Razloznic, seconded by Margie Aguilar-Desrosiers to accept staff recommendations 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, 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 rehabilitated; 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 5909 Delta, 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, 2008. The owners of this property, Primitivo N. Pena & Maria V. Pena, 5909 Delta Drive, El Paso, Texas 79905 and First Savings and Loan of El Paso, Lienholder, W.C. Peticolas, 506 N. Mesa St., El Paso, Texas 79902 (the "**Owners**"), have been notified of the violations at this property.

Nellie Avalos, Building Inspector was present for discussion.

Sylvia Zanella from Environmental Services was present for discussion.

Motion made by Tommy Razloznic, seconded by Carl Robinson 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 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 structures can be rehabilitated; and
 5. That the structures 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.
- VII. Public hearing to determine if the property located at 2626 San Diego, 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 August 12, 2008. The owners of this property, Jesus Topete & Clara Topete, 9223 Morelia Road, El Paso, Texas 79907-3327 and 2626 San Diego, El Paso, Texas, 79930, Stephen R. Johnson, Trustee for Beneficial Texas, Inc., 8004 Indiana Avenue, Suite 648, Lubbock Texas, 79423, David J. Ellis, Trustee for Ruben Ruiz, 4115 Trowbridge Drive, El Paso, Texas, 79903, Ruben Ruiz, 3700 Mountain, El Paso, Texas, 79930, and Beneficial Texas, Inc., 10501 Gateway West, Suite 640, Yarbrough Plaza, El Paso, Texas, 79925 (the "**Owners**"), have been notified of the violations at this property.

Nellie Avalos, Building Inspector was present for discussion.

Jesus Topete, owner of the property and son Jesus Topete Jr. were present for discussion.

Motion made by Carl Robinson, seconded by Hershel Stringfield to accept staff recommendations, unanimously carried.

1. 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:
2. That the structures be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
3. That the structures are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
4. That the structure's certificate of occupancy be revoked; and
5. That the main structure can be rehabilitated; and
6. That the accessory structure be demolished within thirty (30) days; and
7. That the main structure be secured and maintained secure within thirty (30) days; and
8. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (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.

Board members were reminded to attend the Open Meetings Acts training.

XI. Adjournment

Motion was unanimously carried to adjourn this meeting at 6:18 p.m.

Michael Bray, Chairman

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