

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"
2ND FLOOR, CITY COUNCIL CHAMBERS
OCTOBER 29, 2008
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, October 29, 2008 at 5:30 p.m. with the following members present:

Board Members Present:

Jimmy Stevens
Anibal Olague
Roman Bustillos
Hector Zamora
Herschel Stringfield (alternate)

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
Zully Davila, Residential Inspector
Nancy Spencer, Recording Secretary

Absent Members

Paul Zacour
Federico Perez

Late Members

William Correa 5:36 p.m.

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "B" was called to order by Chairman, Roman Bustillos at 5:32 p.m.

II. Approval of minutes for the meeting held August 27, 2008.

Motion made by Jimmy Stevens seconded by Herschel Stringfield to approve the minutes for the August 27, 2008 was made.

Roman Bustillos requested reconsideration of the motion to approve the August 27, 2008 minutes due to the change of board membership.

Motion to reconsider approval of the August 27, 2008 minutes made by Jimmy Stevens, seconded by Anibal Olague unanimously carried.

Motion made by Jimmy Stevens seconded by William Correa to approve the minutes for the August 27, 2008 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 property located at 5625 Kensington Circle, 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 May 28, 2008. The owners of this property, Antonio Salazar, 6320 Franklin Ridge, El Paso, Texas 79912, Amelia Salazar (wife) C/O Lois Cesar Labrado, Atty., 2601 Montana Ave, El Paso, Texas 79902, Jose E Troche, Atty., 1215 Montana Ave., El Paso, Texas 79902, and Matt G. Watson, Atty, 423 Executive Center Blvd. El Paso, Texas, 79902, (the "**Owners**") are listed as the owners of the real property described herein, have been notified of the violations at this property.

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

Robert Gonzalez, Building Inspector, was present for discussion.

Jose Troche, attorney for the estate was present for discussion and made a request for additional time to settle the estate of ownership and appoint an executor.

Sylvia Zanella, Inspector from Code Compliance was present for discussion and advised that there was a court order to remove junked vehicles within the next five days.

Antonio Salazar, son of the property owner, was present for discussion.

Motion made by Jimmy Stevens seconded by Anibal Olague to accept staff recommendations and include in the motion an additional 60 days to rehabilitate the home, passed. Board members Hector Zamora, Jimmy Stevens, Hershel Stringfield and Anibal Olague voted in favor of the motion. Board member William Correa voted against the motion to include a 60 day extension.

The owner has been notified of the violations at this property, to date there has been no 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 structures are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structures can be repaired; and
- 4) That the structures be secured within thirty (30) days and maintained secure until rehabilitated; and
- 5) That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days; and
- 6) That all junk vehicles be removed 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 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 August 27, 2008 is in

compliance and if not, to determine penalties. The trustee of this property, The City of El Paso (the "**Owner**"), has been notified of the violations at this property.

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

The commission was informed of a change to item 3 in the recommendations was made to state that the property had been secured and cleaned.

Raymond Rutledge, representative from the Preservation Alliance was present for discussion.

Motion made by Jimmy Stevens seconded by Hector Zamora to accept staff recommendations and extend an additional 60 days to allow clear ownership of the property is obtained 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 Building and standards Commission order of August 27th, 2008 has not been complied with; and
- 2) Clear ownership is obtained within 60 days; and
- 3) That all the required documents for the buildings rehabilitation have not been submitted to development services department within 60 days; and
- 4) That the building has been maintained secure and clean; and
- 5) That the building be demolished within 60 days; and.
- 6) 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 Building and Standards Commission Order for the property located at 2901 Fort Blvd. in the City of El Paso (legal description on file with the City Clerk) is in compliance with the orders of April 30, 2008, June 25, 2008 and the Building and Standards Commission Order of August 27, 2008 and if not, to determine penalties. The owners of this property, Jesse & Margaret T. Ochoa (the "**Owners**"), 2706 Hamilton Ave., El Paso, Texas 79930, have been notified of the violations at this property.

Nellie Avalos, Building Inspector, was present for discussion.

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

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

Mr. Jessie Ochoa, property owner and Javier Carrera, Group Inc. were 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, and have received a copy of the Building and Standards Commission order dated August 27, 2008, June 25, 2008 and April 30, 2008 of the need to rehabilitate the structure on or before December 25, 2008. To date the

rehabilitation plans have been submitted but require some corrections, therefore the Department recommends that it be found:

- 1) That the structure be secured with plywood on all openings and maintained secure until rehabilitated; and
- 2) That the property be secured with a 6' chain link fence until rehabilitated; and
- 3) That the structure be demolished if the owners do not comply with the Building and Standards Commission order dated August 27, 2008, to rehabilitate the structure by December 25, 2008; and
- 4) That the premises be cleaned and maintained clean within thirty (30) days; and
- 5) That all junk vehicles be removed within thirty (30) days; and
- 6) 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 10708 Limas Drive, 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 26, 2008. The owners of this property, Mario and Juana Moran, 10708 Limas Drive, El Paso, Texas, 79935, (the "Owners") are listed as the owners of the real property described herein, have been notified of the violations at this property.

Zully Davila, Building Inspector was present for discussion.

Ismael Jaramillo, representative for the owner was present for discussion.

Sylvia Zanella Code Compliance Inspector was present for discussion.

Motion made by Hector Zamora seconded by Anibal Olague to accept staff recommendations unanimously carried.

The owners have been notified of the violations at this property to secure and clean the premises, on July 7, 2008 the City took emergency action and secured the first floor, therefore the Department recommends that it be found:

- 1) That the main 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 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 structures can be repaired; and
- 5) That the main 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.

XIII. Adjournment

Motion was unanimously carried to adjourn this meeting at 6:35 p.m.

Roman Bustillos, Chairman

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