CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"
2ND FLOOR, CITY COUNCIL CHAMBERS
February 24, 2010
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, February 24, 2010 at 5:30 p.m. with the following members present:

Board Members Present:
Jimmy Stevens
Paul Zacour
James Erickson
William Correa
Ira Barbe

Others Present:
Bill Stern, Chief Building Inspector
Tom Maguire, Chief Building Inspector
Cynthia Osborn, Assistant City Attorney
Zully Davila, Residential Inspector
Rocio Genera, Recording Secretary

Absent Members
Roman Bustillos
Anibal Olague
Lorraine Huit

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "B" was called to order by Co-Chairman, Ira Barbe at 5:37 p.m.

II. Approval of minutes for the meeting held December 16, 2009.

Motion made by Jimmy Stevens, seconded by James Erickson to approve the minutes for the December 16, 2009 unanimously carried.

III. Update on cases heard by the commission to determine if recommendations have been complied with

Bill Stern, Chief Inspector provided the commission with an update of the orders from February to December 2009.

IV. Any changes to the agenda

No changes to the agenda

Regular Items:

V. Public hearing to determine if the property located at 105 N. Oregon 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 November 10, 2009. The owner Caples Land Company, LLC, 105 N. Oregon, Avenue, El Paso, Texas 79901 (the **"Owner"**), has been notified of the violations at this property.

Bill Stern, Chief Building Inspector presented the item.
Lt. Ricardo Flores, Fire Department was present to discuss the item.
Chief Victor Acosta, Fire Department was present to discuss the item.
Billy Abraham, owner, was present to discuss the item

Following presentation by staff, Commission member Paul Zacour requested to be excused from discussion, due to conflict of interest. Mr. Zacour stated that he was related to the property owner. Mr. Zacour's recusal resulted in a lack of quorum for this agenda item.

Motion made by James M. Erickson, seconded by Fred Perez to postpone item 5 for the next regularly scheduled Building and Standards Commission Hearing, due to the lack of quorum. Motion unanimously carried.

Property owner requested he be allowed to present his case despite the postponement. Assistant City Attorney allowed property owner to respond.

VI. Public hearing to determine if the property located at 9255 Socorro Road, 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 September 21, 2009. The owner Rita L. Corral Rev Trust, 13776 Hanford Court, Victorville, CA 92394-7551 (the **"Owner"**), has been notified of the violations at this property.

Bill Stern, Chief Building Inspector presented the item.
Tony de la Cruz, Historic Preservation, was present for discussion.

Motion made by Jimmy Stevens to accept staff recommendations seconded by James M. Erickson, 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 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 fire protection, structural integrity, and disposal of refuse; and
3) That the structures' certificate of occupancy be revoked; and
4) That the structures be demolished within thirty (30) days; and
5) That the premises be cleaned and maintained clean of all weeds, trash, and debris within 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 1100-1110 Cedar 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 November 30, 2009. The owner Malcolm H. Webb, III, 6917 Alto Rey Avenue, El Paso, Texas 79912 (the **"Owner"**), has been notified of the violations at this property.

Bill Stern, Chief Building Inspector presented the item.
Zully Davila, Building Inspector was present for discussion.

Motion made by Jimmy Stevens to accept staff recommendations seconded by James Erickson 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 Department 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 structures' certificate of occupancy be revoked; and
4) That the structure can be rehabilitated; and
5) That the structure be secured and maintained secure within thirty (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.

VIII. Public hearing to determine if the property located at 2854-2856 Grant Avenue, 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 November 30, 2009. The owner Malcolm H. Webb, III, 6917 Alto Rey Avenue, El Paso, Texas 79912 (the **"Owner"**), has been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Motion made by Federico Perez to accept staff recommendations seconded by James Erickson 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 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 fire protection, structural integrity, and disposal of refuse; and
3) That the structures' certificate of occupancy be revoked; and
4) That the structures can be rehabilitated; and
5) That the structures be vacated within thirty (30) days and remain vacant until rehabilitated; and
6) That the structures be secured and maintained secure 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
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.

IX. Public hearing to determine if the property located at 2862 Grant Avenue, 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 November 30, 2009. The owner Malcolm H. Webb, III, 6917 Alto Rey Avenue, El Paso, Texas 79912 (the **"Owner"**), has been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Motion made by Jimmy Stevens to accept staff recommendations seconded by James Erickson 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 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 fire protection, structural integrity, and disposal of refuse; and
3) That the structures' certificate of occupancy be revoked; and
4) That the structures can be rehabilitated; and
5) That the structures be secured and maintained secure within thirty (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.

X. Public hearing to determine if the property located at 2866 Grant Avenue, 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 November 30, 2009. The owner Malcolm H. Webb, III, 6917 Alto Rey Avenue, El Paso, Texas 79912 (the **"Owner"**), has been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Motion made by Paul Zacour to accept staff recommendations seconded by Federico Perez 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 Department 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 structures' certificate of occupancy be revoked; and
4) That the structure can be rehabilitated; and
5) That the structure be vacated within thirty (30) days; and
6) That the structure be secured and maintained secure within thirty (30) days; and
7) That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; 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.

XI. Adjournment

Motion was unanimously carried to adjourn this meeting at 6:34 p.m.

Ira L. Barbe, Co-Chairman

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