

**CITY OF EL PASO**  
**BUILDING & STANDARDS COMMISSION BOARD PANEL "B"**  
**August 28, 2013**  
**5:30 P.M.**

**MINUTES**

The Building & Standards Commission Panel "B" held a public hearing at the El Paso City Council Chambers, Wednesday, August 28, 2013 at 5:30 p.m. with the following members present:

**Board Members Present:**

Andrew Haggerty  
Conrad Conde  
Christina Contreras  
Lorraine Huitt  
Ben Bohannon  
Gerardo Licon  
Angel Ochoa

**Others Present:**

Elda Rodriguez-Hefner, Code Compliance Manager  
Wendy Vineyard, Assistant City Attorney  
Tom Maguire, Chief Building Inspector  
Rodolfo Huerta, Chief Building Inspector  
Rafael Balli-Berlange, Building Inspector  
Nellie Avalos, Building Inspector  
Diana Cedillo, Senior Office Assistant

**AGENDA**

Call to Order

- I. The Building & Standards Commission meeting, Panel "B" was called to order by Chairman Haggerty at 5:35 p.m.

Chairman Haggerty swore in all witnesses present to give testimony on the cases heard.

- II. Election of Co-Chairman

Motion made by Conrad Conde, seconded by Ben Bohannon, to nominate Gerardo Licon as Co-Chairman for the Building and Standards Commission, Panel B.

- III. Approval of June 26, 2013 minutes

**Motion made by Conrad Conde, seconded by Ben Bohannon, to approve the June 26, 2013 minutes, unanimously passed.**

**Regular Items:**

- IV. Public hearing to determine if the property located at 12207 O'Donnell Street in the City of El Paso, is in compliance with the order of June 26, 2013, and if not, to determine penalties. The owners of this property are identified as Jose F. and Carmen C. Cereceres and they have been notified of this hearing.

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 secured within thirty (30) days and maintained secure thereafter; and
2. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days and maintained clean thereafter; and
3. 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.

4. That said Owners shall become personally liable for all costs incurred by City in connection with securing the buildings and maintaining the buildings secured; and cleaning the premises of all weeds, trash, and debris, shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien.

Rudy Huerta, Jr., Chief Building Inspector, read and presented the item to record.

Structure has been removed – item will be removed from agenda

- V. Public hearing to determine if the property located at 5714 Dailey, in the City of El Paso, is in compliance with the order of June 26, 2013, and if not, to determine penalties. The owner of this property has been identified as, Gregorio & Luisa Espinoza, Victoria I. Condran, Petra Rosales, Jose T. Espinoza, Luz Maria Espinoza Rodriguez, Consuelo G. Ginster, Gregorio Espinoza, Maria Luisa Espinoza, Juana Rosa Espinoza, Carmen Juarez, Esperanza Espinoza, and they have been notified of this hearing.

Rudy Huerta, Jr., Chief Building Inspector read and presented the case.

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 structures be rehabilitated within thirty (30) days; and
2. That the premises be secured and cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days and maintained clean thereafter; and
3. 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.

**Motion made by Ben Bohannon, seconded by Angel Ochoa to accept staff recommendations, and unanimously carried.**

- VI. Public hearing to determine if the property located at 5812 Devontry, 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 party has been identified as Elizabeth Olivas, Ruth Araceli Olivas and David Bonilla, as well as the new owner, Jeremy Sifuentes, and they have been notified of this hearing.

Rudy Huerta, Jr., Chief Building Inspector, read the item into the record.

Rafael Balli-Berlange, Building Inspector, presented the case.

Mr. Licon inquires if the home is currently vacant, and verifies that only thirty (30) days are needed to secure property.

Chief Building Inspector Huerta states that the Certificate of Occupancy be revoked, so that when the structure is rehabilitated, new owner is able to obtain permits for the rear structure due to work being done illegally; rear addition needs to be brought up to Code. Permit that was previously obtained is now expired. Rear is still accessible.

Tom Maguire, Building Inspector states if the property is secure from unwanted entry, as well as secured and not of a nuisance to the neighborhood, the property can remain in its present condition; there is no time limit.

Sonyah Cahallan adding that the property is allowed to be kept boarded and secure, but due to the Vacant Building Ordinance, the property owners need to register property as a Vacant Building as well as have a plan of upkeep.

Jeremy Sifuentes, new property owner, from ALR Investments purchased home in beginning of August. Mr. Sifuentes has plans to use as a rental income prop. Property will be Within 30 will be secured within thirty (30) days and he will demolish the back structure. He is willing to obtain permits within the time frame given. Mr. Sifuentes does not agree with pulling the Certificate of Occupancy. He is proposing to secure in thirty (30) days at minimum to bring into property into compliance. His goal is to secure so no access and will remain secured.

Mr. Huerta clarifies that the Notice of Public Hearing was sent out notice on 8<sup>th</sup>, but Central Appraisal District still had the original owner listed.

Mr. Sifuentes explains that the property was never placed on the market, so it was private money.

Andrew Haggerty agrees that the Certificate of Occupancy be revoked in order for permits to be obtained correctly.

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 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 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 can be rehabilitated; and
5. That the structure be secured within thirty (30) days maintained secure thereafter; and
6. That the premises be cleaned of all weeds, trash, and debris within thirty (30) days and maintained clean 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.

**Motion made by Conrad Conde, seconded by Ben Bohannon, to accept staff recommendations, unanimously passed.**

VII. Adjournment

**Motion made to adjourn the meeting by Gerry Licon seconded by Ben Bohannon, was unanimously carried. The meeting adjourned at 6:11 p.m.**

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Andrew Haggerty, Chairman, Panel "B"

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Tom Maguire, Chief Building Inspector  
Code Compliance Division