CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"
2ND FLOOR, CITY COUNCIL CHAMBERS
MAY 27, 2009
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, May 27, 2009 at 5:30 p.m. with the following members present:

Board Members Present:
Michael Bray (Chairman)
Roman Hernandez
Greg Bowling
Tommy Razloznik
Kenneth Walters

Others Present:
Tom Maguire, Chief Building Inspector
Bill Stern, Chief Building Inspector
Mark Shoesmith, Assistant City Attorney
Nellie Avalos, Residential Inspector
Robert Gonzalez, Residential Inspector
Rudy Valles, Residential Inspector
Sam Mendoza, Residential Inspector
Sergio Melendez, Building Combination Inspector Supervisor
Nancy M. Spencer, Recording Secretary

Absent Members
Margie Aguilar-Desrosiers
Fernando Santana
Carl Robinson

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Chairman Michael Bray at 5:55 p.m.

II. Approval of minutes for the Building and Standards meeting held March 25, 2009

Motion made by Greg Bowling seconded by Tommy Razloznik to approve the March 31, 2009 minutes, unanimously carried.

III. Changes to the agenda

Bill Stern, Chief Building Inspector advised the commission that Item #6, 352 Pascal Street would be deleted from the agenda.

Regular Items:

IV. Public hearing to determine if the property located at 3820 Hueco 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 March 4, 2009. The owners of this property, Del Mar Properties, LLC, 109 North Oregon, Suite 1300, El Paso, Texas, 79901, Del Mar Properties LLC, 8201 Lockheed Drive, Suite 235, El Paso, Texas, 79925; and Del Mar Properties LLC,3820 Hueco, El Paso, Texas, 79903, and Maria G. Duran and Javier Duran, 5249 Wren #305, El Paso, Texas, 79924, Maria G. Duran and Javier Duran, 3820 Hueco Avenue, El Paso, Texas, 79903, J. P. Morgan Chase Bank, c/o Residential Funding Corp., 2255 North Ontano, Suite 400, Burbank, CA 91405-3190, Barrett Burke Wilson Castle Daffin & Frappier, LLP, 15000 Surveyor Blvd., Suite 100, Addison, Texas, 75001 (the **"Owners"**), have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Rudy Valles, Residential Inspector was present for discussion.

Herb Ehrlich, legal representative for the property owner was present for discussion.

Sylvia Zanella from Code Enforcement was present for discussion.

A motion was made by Tommy Razloznik and seconded by Kenneth Walters to accept staff recommendations unanimously carried.

The owners have 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 structures certificate of occupancy be revoked; and
4. That the structures can be repaired: and
5. That the structures be secured and maintained secured 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 notification of the Building and Standards Commission order to all interested parties 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 2927 Mountain 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 April 13, 2009. The owners of this property, Manuel Correa, Jr., 5227 Kodiak, El Paso, Texas 79924, Manuel Correa, Jr., 2927 Mountain, El Paso, Texas, 79904, Alfonso Correa, 5101 Bragg Avenue, El Paso, 79904, Hector and Bertha Correa, 3116 Aurora, El Paso, Texas, 79930, Arturo Correa, 2927 Mountain, El Paso, Texas, 79904, Estate of Manuel Correa, Jr., and Arturo Correa c/o Karen Ann Pelletier, 4157 Rio Bravo, El Paso, Texas, 79902, Bertha Correa c/o Daniel Mena, 2333 North Piedras, El Paso, Texas, 79930, Ana Rosa Fernandez, 2927 Mountain, El Paso, Texas, 79904 and Ricardo Correa, 2927 Mountain, El Paso, Texas, 79904 (the **"Owners")** have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Robert Gonzalez, Residential Inspector was present for discussion.

Daniel Mena, legal representative for Hector Correa, executor for the estate on this property was present for discussion.

Sylvia Zanella from Code Enforcement was present for discussion.

Motion made by Roman Hernandez, seconded by Greg Bowling to accept staff recommendations, unanimously carried.

1. The owners have 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 structures' certificate of occupancy be revoked; and
5. That the structures can be repaired: 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 thirty (30) days; and
8. That upon notification of the Building and Standards Commission order to all interested parties 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 6352 Pascal 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 March 27, 2009. The owners of this property, Andrea Romero,

6352 Pascal Street, El Paso, Texas 79932-1116, Armando Villalobos, 6356 Pascal Street, Space, C, El Paso, Texas, 79932 and Ana M. Hernandez, 6356 Pascal Street, Space B, El Paso, Texas, 79932 (the **"Owners")** have been notified of the violations at this property.

Item #6 was deleted from the agenda.

VII. Public hearing to determine if the property located at 3616 Fillmore, 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 March 17, 2009. Mutual Federal Savings and Loan Association of El Paso, 517 N. Kansas, El Paso, Texas, 79901, R Neill Walshe, Trustee for Joseph McAuliffe, 3128 E. San Antonio, El Paso, Texas, 79901, Colbert Coldwell, Trustee for Lucille Elliott, 4171 N. Mesa St., Ste 8201, El Paso, Texas, 79902, Colbert Coldwell, 10590 Gateway East, El Paso, Texas, 79927, Evangelina Terrazas, 710 S. Western Ave. #220, Liberal, KS, 67901, Joseph McAuliffe, 786 Hampton Rd, Ponfret Center, CT 06259, Joseph McAuliffe, 29 Camp Roosevelt, Lebanon, ME, 04027 and Lucille Elliott. 337 Clairmont, El Paso, Texas, 79912 (the **"Owners")** has been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

A letter received from Evangelina Terrazas, one of the property owners was read for the record as to what action was being taken on the property.

Raul Mimbela , representative for Mimbela Construction was present for discussion.

Sylvia Zanella from Code Enforcement was present for discussion.

The board was advised of two modifications made on this item; the correct date on the agenda for this item should read Wednesday, May 27, 2009, and the date the memorandum was written is May 18, 2009.

Motion made by Tommy Razloznik, seconded by Gregory Bowling 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, 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 repaired; and
5. That the structure be secured and boarded 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.

VIII. Public hearing to determine if the property located at 4011 Tyler 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 December 13, 2008. The owners of this property, Jorge Juarez and Maria Juarez, 4011 Tyler, El Paso, Texas, 79930, and Jorge Juarez and Maria Juarez, 3337 Voss Drive, El Paso, Texas, 79936-1916, Pablo Martinez and Neima Martinez, c/o Stephen Anderson and William Crout, Trustees, Anderson, Anderson, Bright & Crout, 1533 Lee Trevino, #205, El Paso, Texas, 79936, Pablo and Neima Martinez, 10504 Drillstone, El Paso, Texas, 79925 (the **"Owners")** have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Nellie Avalos, Residential Inspector was present for discussion.

Sylvia Zanella from Code Enforcement was present for discussion.

Motion made by Gregory Bowling, seconded by Tommy Razloznik to accept staff recommendations unanimously carried.

The owners have 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 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 structures' certificate of occupancy be revoked; and
4. That the structure cannot be repaired; and
5. That the structure 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 notification of the Building and Standards Commission order to all interested parties 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 4823 Vulcan 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 March 18, 2009. The owners of this property, Willows Mobile Home Park, Inc., 4605 Vulcan #212, El Paso, Texas, 79904, Sun Valley Baptist Temple, 9901 McCombs, El Paso, Texas, 79924, Jan L. Dutton, 4605 Vulcan #212, El Paso, Texas, 79904 (the **"Owners"**) have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Nellie Avalos, Residential Inspector was present for discussion.

Jan Dutton, one of the property owners was present for discussion and advised that the property has been cleaned and boarded and secured.

Herb Porter, son- in -law for the property owner was present for discussion.

Sylvia Zanella from Code Enforcement was present for discussion.

Motion made by Ken Walters, seconded by Roman Hernandez to accept staff recommendations unanimously carried.

The owners have 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 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 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 not be issued; and
4. That the structure can be repaired: and
5. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days; and
6. That plans must be submitted and the completion permit obtained for rehabilitation within sixty (60) days; and
7. That a final inspection be obtained within one hundred and eighty days (180) days from the date the completion permit is issued; and
8. That upon notification of the Building and Standards Commission order to all interested parties 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.

Chairman Michael Bray asked about progress reports on previous orders.

VIII. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:15 p.m.

Michael Bray, Chairman
Panel "A"

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