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

Board Members Present:
Michael Bray (Chairman)
Roman Hernandez
Gregory Bowling
Tommy Razloznik
Kenneth Walters
James Ratliff (alternate)

Others Present:
Tom Maguire, Chief Building Inspector
Bill Stern, Chief Building Inspector
Cynthia Osborn, Assistant City Attorney
Nellie Avalos, Residential Inspector
Sergio Melendez, Building Combination Inspector Supervisor
Nancy Spencer, Recording Secretary
Victor Morrison-Vega, Deputy Director

Late Members
Margie Aguilar-Desrosiers 5:40 p.m.

Absent Members
Robert Filarski

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Chairman Michael Bray at 5:34 p.m.

II. Approval of minutes for the Building and Standards meeting held July 29, 2009

One spelling correction on Mr. James Ratliff's name and remove the wording "60 days" stated in item VII.

Motion made by Tommy Razloznik with the noted changes seconded by Kenneth Walters to approve the July 29, 2009 minutes, unanimously carried.

III. Election for Vice-Chair

Motion made by Gregory Bowling to nominate Tommy Razloznik as vice-chair, seconded by Kenneth Walters, unanimously carried.

Introduction of Cynthia Osborn, Assistant City Attorney and Deputy Director Victor Morrison-Vega

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

The commission was provided a report on the action taken on cases presented before the Building and Standards Commission from 2007 to the present.

There was discussion on 12261 Diana Natalicio. The commission was advised that as of this date, no action has been taken. Bill Stern advised that this case will be presented before the commission. Assistant City Attorney Cynthia Osborn advised that the next option could be to have a peace officer to carry out the Building and Standards Commission orders for the occupant to vacate the property. The commission was also advised that this was a discussion item only but that staff can put this item for a hearing within the next two or three weeks. Bill Stern recommended taking the necessary steps to proceed with enforcing the Building and Standards Commission orders and bring this case back to be heard by the commission.

Chair wants report as a regular item as discussion and action.

V. Changes to the agenda

Delete Item VII and Item IX from the agenda. Property owners have complied with the boarding and securing of the properties.

Regular Items:

VI. Public hearing to determine if the property located at 6805 Esteban, 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 1, 2009. The owners of this property, Arturo A. Parra, 10612 Brian Mooney, El Paso, Texas, 79936, Ramon Parra, 5606 Burning Tree, El Paso, Texas, 79912, Ramon Parra 6805 Esteban, El Paso, Texas, 79905, Ramona Grueber, 6805 Esteban, El Paso, Texas, 79905, John Parra, 8717 Echo St., El Paso, Texas, 79904, Naomi C. Parra, 2405 Rhode Island St. NE, Albuquerque, New Mexico, 87110, Naomi C. Parra, 6001 Topka Pl NE, Apt. 18, Albuquerque, NM, 87109, Jose Angel Parra, 6805 Esteban, El Paso, Texas, 79905, and Daniel Parra, 6805 Esteban, El Paso, Texas, 79905 (the **"Owners"**), have been notified of the violations at this property.

Bill Stern was present for discussion.

Nellie Avalos was present for discussion.

Sergio Melendez was present for discussion.

Tom Maguire was present for discussion.

Lorena Parra, daughter of property owner was present for discussion.

Motion made by Margie Aguilar-Desrosiers seconded by Tommy Razloznik to accept Tom Maguire's recommendations to board and secure the uninhabited portion of the property within 30 days, the occupied portion to be vacated within 30 days, and board and secure the vacated portion of the property within 15 days, 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 multifamily structure can be repaired; and
5. That the multifamily structure be vacated within thirty (30) days; and
6. That the multifamily structure be secured within thirty (30) day and maintained secure until rehabilitated; and
7. That the accessory structures be demolished within thirty (30) days; and
8. That all junk vehicles be removed within thirty (30) days; and
9. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
10. 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.

VII. Public hearing to determine if the property located at 4606 Alameda Ave., 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 23, 2009. The owners of this property, Jose Ponce Villanueva and Rosa Angelica Garcia, 4606 Alameda, El Paso, Texas, 79905 and Jose Ponce Villanueva and Rosa Angelica Garcia, 4681 Shifting Sands, El Paso, Texas, 79938 (the **"Owners"**), have been notified of the violations at this property.

This item was deleted from the agenda

VIII. Public hearing to determine if the property located at 3023 Morehead Ave., 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 30, 2009. The owners of this property, D. Carr's Incorporated, 3023 Morehead Ave., El Paso, Texas, 79930 and D. Carr's Incorporated, 1900 Meandering Way, McKinney, Texas, 75071 (the **"Owners"**), have been notified of the violations at this property.

Bill Stern was present for discussion.

Motion made by Gregory Bowling seconded by Margie Aguilar-Desrosiers 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 structure' certificate of occupancy be revoked; and
4. That the structure can be repaired; and
5. That the structure be secured within thirty (30) day and maintained secure until rehabilitated; and
6. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 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 3500 Idalia Ave., 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 7, 2009. The owners of this property, Moises Chavez, Owner, 3500 Idalia, El Paso, Texas, 79930, John H, Trien, 9565 Trien, 9565 Dyer, El Paso, Texas, 79924 and Robert L. Reinhardt, 9565 Dyer, El Paso, Texas, 79924 (the **"Owner"**), have been notified of the violations at this property.

This item was deleted from the agenda

X. Adjournment

Motion was unanimously carried to adjourn this meeting at 6:55 p.m.

Michael Bray, Chairman
Panel "A"

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