CITY OF EL PASO, TEXAS
BUILDING AND STANDARDS COMMISSION BOARD PANEL "A"
2nd FLOOR, CITY COUNCIL CHAMBERS
JANUARY 30, 2008

MINUTES

The building & Standards Commission Panel "A" held a public hearing in City Council Chambers 2nd Floor of the City Hall Building on Wednesday, January 30, 2008, at 5:30 p.m. with the following members present:

Board Members Present:
Carl Robinson
Michael Bray
Gregory Bowling
Hershel Stringfield (alternate)
Danny Salazar

Others Present:
Larry F. Nichols, Building Official
Mark Shoesmith, Assistant City Attorney
Bill Stern, Chief Building Inspector
Leo Casso-Lopez, Building Inspector Supervisor
Zuleika Davila, Building Inspector
Manuela Avalos, Building Inspector
Nancy Spencer, Recording Secretary
Raul Bueno, Building Inspector
Robert Gonzalez, Building Inspector
Rodolfo Valles, Building Inspector
Elaine Hengen, Senior Assistant City Attorney

Late Members:
Roman Hernandez, 5:35 p.m.

Absent Members:
Margie Aguilar-Desrosier
Fernando Santana
James Ratliff (alternate)

I. Call to Order

Michael Bray called the meeting to order at 5:33 p.m.

II. Election of Chair and Vice Chair

Motion made by Danny Salazar seconded by Gregory Bowling to nominate Michael Bray for chairman unanimously carried.

Motion made by Danny Salazar seconded by Gregory Bowling to nominate Carl Robinson for co-chairman unanimously carried.

AGENDA

III. Approval of minutes for the meeting held September 28, 2007 (tabled 11-28-2007)

Motion made by Carl Robinson seconded by Gregory Bowling unanimously carried

IV. Approval of minutes for the meeting held November 28, 2007

Motion made by Carl Robinson seconded by Gregory Bowling unanimously carried.

Regular Items:

V. Public hearing to determine if the property located at 401 S. Florence St. 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 13, 2007. The owner of this property, Luis A Morales (**the "Owner"**), 4006 Mountain Ave., El Paso, Texas 79930, has been notified of the violations at this property.

Leo CassoLopez, Building Inspector Supervisor gave presentation.

Property owner Luis Morales was present for discussion.

Bill Stern, Chief Building Inspector, provided update on case.

Larry Nichols, Deputy Director, Building Permits and Inspections, recommended a time line on bringing property into compliance.

Public comment from Paul Dipp was made this property.

Pubic comment from Officer Tony Rivera on response calls made to this property.

Motion made by Carl Robinson, seconded by Gregory Bowling to accept staff recommendations including the installation of heating units within 30 days and rehabilitation of the structure to be completed in 60 days unanimously carried.

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 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 upon failure to install heating facilities within 30 days, the structure shall be vacated; and
6) That the structure be secured and maintained secure within 30 days; and
7) That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
8) That the remainder of the structure be rehabilitated within 60 days; and
9) 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. A request for rehearing of 3204 Frutas Ave. in the City of El Paso (legal description on file with the City Clerk). On October 30, 2007, the Building and Standards Commission ordered the owner of the property, Josefina Montoya Mack (**the "Owner"**), 2533 Sierra St, Torrence, Los Angeles County CA, 90503, to secure and clean the property within 30 days and to demolish the structure within 60 days.

Deputy Director, Larry Nichols requested this item to be deleted from the agenda.

Motion made by Carl Robinson seconded by Gregory Bowling to delete Item 6 from the agenda unanimously carried.

VII. Public hearing to determine if the property located at 10927 Roadrunner St., 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 5, 2007. The owner of this property, Maribel Lopez (**the "Owner"**), 10927 Roadrunner St., El Paso, Texas 79934, has been notified of the violations at this property.

Zully Davila gave presentation.

New property owner Mel Villalobos was present for discussion.

Motion made by Gregory Bowling, seconded by Carl Robinson to accept staff recommendations in allowing the property owner 60 days to comply with staff recommendations unanimously carried.

The owner has been notified of the violations at this property to demolish or remove from premises, to date there has been no response or corrective action taken, therefore the department recommends that it be found:

1) That the main structure and accessory building be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
2) That the buildings are 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 cannot be repaired; and
5) That the main structure be demolished or removed and the accessory structure be demolished or removed 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.

Danny Salazar left meeting at 6:35 p.m.

VIII. Public hearing to determine if the property located at 4510 Arlen, 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 1, 2007. The owners of this property, Los Nino Children's Irrevocable Trust,1612 Rim Road, El Paso, Texas 79902, Desert Spa L.P., 1612 Rim Road, El Paso, Texas 79902, and Eva Cepeida, 2405 Oak Knoll, Ave., San Marino, CA 91108 (**the "Owners"**), have been notified of the violations at this property.

Bill Stern advised the commission that there would be a 60 days postponement on this case.

Robert Pearson, Attorney at Law representing the property owner addressed commission and gave update on case.

Keith Thompson, 2nd lien holder for property advised that on March 4, 2008, there would be a court hearing on the foreclosure and requested postponement for 60 Days.

Nick Haggerty, Representative for Century 21 advised that he has been hired by the property owner to manage property.

Mark Shoesmith, Assistant City Attorney advised the commission on the city's liability on property.

Public comment from Samuel Garay was made.

Motion made by Carl Robinson, seconded by Gregory Bowling, to postpone Item #8 unanimously carried.

XI. Adjournment

Motion was unanimously carried to adjourn this meeting at 6:45 pm

Michael Bray, Chairperson

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