CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"
2ND FLOOR, CITY COUNCIL CHAMBERS
November 25, 2008
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, September 25, 2008 at 5:30 p.m. with the following members present:

Board Members Present:
Carl Robinson
Tommy Razloznik
James Ratliff (alternate)
Roman Hernandez
Michael Bray (Chairman)

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
Nancy Spencer, Recording Secretary

Absent Members
Ken Walters
Margie Aguilar-Desrosiers
Gregory Bowling
Fernando Santana

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Michael Bray, Chair at 5:32 p.m.

II. Approval of minutes for the meeting held September 24, 2008

Motion made by Tommy Razloznik seconded by Carl Robinson to approve the September24, 2008 minutes, unanimously carried.

III. Changes to the agenda

Bill Stern advised that there were no changes to the agenda.

Regular Items:

IV. A request for rehearing of 5641 Beacon Avenue in the City of El Paso (legal description on file with the City Clerk). On July 30, 2008, the Building and Standards Commission ordered that the property be demolished. The owners of this property, Guadalupe Rincon, 5641 Beacon Ave, El Paso, Texas 79905, Hector Rincon, 111 Anita Circle, El Paso, Texas, 79905, Alford Rincon, 3604 Frankfort, El Paso, Texas 79930, Isela Rincon, 5641 Beacon Ave., El Paso, Texas 79905, Juan Arriola, P.O. Box 10570, El Paso, Texas, 79995, David

Santoscoy, 1405 Meadowview Drive, El Paso, Texas 79925, have requested a rehearing to provide evidence that the structure can be rehabilitated.

Bill Stern, Chief Building Official was present for discussion.

Discussion was held on whether the property owners were duly notified within the 20 days to set up the hearing and if not what were the circumstances for the delay to miss the 20 day deadline. Discussion also included on whether or not to hold the rehearing.

Mr. David Santoscoy, one of the property owners of the above reference property was present for discussion.

Motion made by Carl Robinson to deny the request for a rehearing was made with no second made to his motion.

Motion made by Tommy Razloznik seconded by Roman Hernandez to allow the rehearing passed with Carl Robinson voting against the motion.

Mr. David Santoscoy advised that the property had been cleaned, fire extinguishers installed and a structural engineer was hired to inspect the property.

Ruben Ponce, structural engineer hired by Mr. David Santoscoy was present for discussion.

Jorge Sanchez from the Fire Department was present for discussion.

Motion made by Carl Robinson to deny the appeal of the July 30, 2008 BSC order, seconded by Roman Hernandez, unanimously carried.

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:

On July 30, 2008, The Building and Standards Commission accepted the staff recommendations and 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 cannot be repaired; and
5) That the structure and accessory structures be demolished 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.

8) The Building and Standards Commission Final Order of July 30, 2008 was sent certified mail to the owners and all interested parties on August 8, 2008. On October 22, 2008, Mr. David Santoscoy and Mr. Juan Arriola the owners requested a rehearing to present evidence to the Commission showing that part of the building can be made safe.
9) On November 4, 2008, the owners were notified of the rehearing scheduled for November 25, 2008 and advised that the commissioners will need a **full set of plans and a completion schedule** for the reconstruction or rehabilitation of the structure, **that a bonded and insured contractor must be hired to obtain the required permits and an engineer must provide a complete structural analysis of the portion of the building planned to be rehabilitated.** The owners were also advised that **the structural analysis must include the size and condition of the footings, condition of the adobe walls and all wood framed structural members for loading, size, spacing and span.**

V. Public hearing to determine if the property located at 71 Evergreen 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 September 22, 2008. The owners of this property, Raymond Sanchez and Dora Mari Sanchez, 71 Evergreen, El Paso, Texas, 79905-2606, Ruggero S. Provenghi, Trustee for Lorin K Hockett and Mavis Hocket, 6410 Gateway, El Paso, Texas 79905, Loren K. Hockett and Mavis Hockett, 3901 52nd Street, NE, Tacoma, Washington 98422, El Paso County Attorney's Office, 500 E. San Antonio, 79901, Attn: Jose Rodriguez, Fort Bliss Federal Credit Union, P. O. Box 24901, 79914 been notified of the violations at this property.

Robert Gonzalez and Nellie Avalos, Building Inspectors were present for discussion.

Charles Vincent, legal representative for the property owner was present for discussion.

Motion made by Carl Robinson, 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 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 building 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 maintained secure 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.

VI. Public hearing to determine if the property located at 7305 Dale 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 23, 2008. The owners of this property, Remedio and Sylvia Alvarez, Victor Manuel Alvarez and Victor Manuel Alvarez as trustee for Omar Alvarez, 2207 Edgebrook Avenue, Modesto, CA 95354 (the "Trustee"), have been notified of the violations at this property.

Bill Stern, Chief Building Official was present for discussion.

Nellie Avalos, Building Inspector was present for discussion.

Sylvia Alvarez, owner of the property was present for discussion.

Tom Maguire, Chief Building Official was present for discussion and recommended postponement of this case and resetting it for the January 28, 2009 hearing, cc in order to provide a translator for the property owner.

Officer Chavez from the Police Department was present for discussion.

Jorge Sanchez from the Fire Department was present for discussion.

Bill Stern recommended hiring a general contractor and obtain the required permits and set a rehearing for January 28, 2009.

Translation was provided by Officer Chavez.

Motion made by Roman Hernandez, seconded by Carl Robinson to accept staff recommendations to postpone and reset this case for the January 28, 2009 hearing unanimously carried.

VII. Public hearing to determine if the property located at 906 N. Mesa 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 October 20, 2008. The owner of this property, DDDG Investments II, LP, 154 N. Festival Dr. Villa E, El Paso, Texas 79912 (the "Owner"), has been notified of the violations at this property.

Nellie Avalos, Building Inspector was present for discussion.

Javier Carrera, representative for the property owner was present for discussion.

Motion made by Tommy Razloznik, seconded by James Ratliff 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 secure 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.

XI. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:25 p.m.

Michael Bray, Chairman
Panel "A"

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