

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"
2ND FLOOR, CITY COUNCIL CHAMBERS
December 20, 2006
5:30 P.M.**

MINUTES

The Building & Standards Commission Panel "B" held a public hearing in City Council Chambers, 2nd floor of the City Hall Building on Wednesday, December 20, 2006, at 5:30 p.m. with the following members present:

Board Members Present:

Roman Bustillos (Acting Chair)
Becky Friesenhan
Hector Zamora
Herschel Stringfield
Jimmy Stevens

Others Present:

Larry Nichols, Deputy Director
Roberta Cross, Assistant City Attorney
Bill Stern, Chief Building Inspector
Leo CassoLopez, Residential Inspector
Zully Davila, Residential Inspector
Nellie Avalos, Residential Inspector
Nancy M. Spencer, Recording Secretary

Absent Members

Bob Ayoub
Fred Perez

Late

Alexandra Swann 5:44 p.m.
Gregory Davis 5:49 p.m.

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Roman Bustillos, Acting Chair at 5:35 p.m.

Deputy Director Larry Nichols introduced Roberta Cross as the new Assistant City Attorney for Development Services.

II. Approval of minutes for the meeting held October 25, 2006.

Jimmy Stevens motion to approve minutes, seconded by Herschel Stringfield unanimously carried.

Regular Items:

III. Public hearing to determine if the Building and Standards Commission Order issued for the property located at 316 E. Rio Grande, in the City of El Paso (legal description on file with the City Clerk), in the City of El Paso (legal description on file with the City Clerk) is in compliance with the order of August 30, 2006, and if not to determine penalties. The owner of this property, Leonardo M. Castillo (the "Owner"), 5022 Yucca Place, El Paso, Texas 79932, has been notified of the violations at this property.

Bill Stern gave presentation.

The owner Leonardo Castillo was present for presentation.

The Department recommends that the Building and Standards Commission make the following findings:

- 1) That the owner has not complied with the Building and Standards Commission Order of August 30, 2006 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 owner be assessed a civil penalty of \$100.00 a day from December 20, 2006 until the property is in compliance, and
- 4) That the City Clerk file a certified copy of the Order with the District Clerk of the County of El Paso; and
- 5) That the owner be placed on notice that continuing failure to comply with Building and Standards Commission Order of August 30, 2006 may result in additional and more severe penalties.
- 6) That a public hearing be scheduled for February 28, 2007, to determine if the Building and Standards Commission order of August 30, 2006; has been complied with and if not to determine additional penalties.

Motion made by Jimmy Stevens seconded by Hector Zamora to accept staff recommendations with two modifications; hold a public meeting on this case on February 28, 2007 instead of January 31, 2006, and assess a penalty of \$100.00 a day starting on January 2, 2007 and unanimously carried.

- IV. Public hearing to determine if the property located at 8865 Leopoldo 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 26, 2006. The owner of this property, Alfredo Avila (the "Owner"), 8865 Leopoldo Street, El Paso, Texas 79907, has been notified of the violations at this property.

The owner of the property was not present for the presentation.

Leo Casso-Lopez gave presentation.

Police Officer Chris Cordova from the Police Department was present for the presentation.

Motion made by Hector Zamora seconded by Gregory Davis to accept staff recommendations unanimously carried

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 structure cannot be repaired; and
 - 5) That the main structure, unpermitted additions and accessory structure be demolished within 30 days; and
 - 6) That the premises be cleaned and maintained cleaned of all weeds, trash and debris; and junk vehicles be removed from the property 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.
- V. Public hearing to determine if the property located at 8963 Norton, 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 16, 2006. The owner of this property, Aziz Enterprises, Inc. (the "Owner"), 2315 Murchison Drive, El Paso, Texas 79930, has been notified of the violations at this property.

William Stern gave presentation.

Daniel Mena, representative for the owner was present for the presentation.

Officer Slade Davis from the Police Department, Manny Morales and Sam Jarvis from the Health Department and Zuleika Davila from Housing Compliance were present for the presentation.

Mr. Mena requested 60 day time period to comply with the repairs.

Motion made by Hector Zamora to accept staff recommendations, seconded by Becky Friesenhan unanimously carried.

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 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 can be repaired; and
 - 5) That the structures be vacated and maintained secured until rehabilitated within 30 days; and
 - 6) That the premises be cleaned and maintained cleaned 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 2918 Memphis 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 on August 8, 2006. The owner of this property, Olive S. Yeager (the "Owner"), 2918 Memphis Ave., El Paso, Texas 79930-3428, has been notified of the violations at this

The owner was not present for the presentation.

Zully Davila gave presentation.

Manny Morales from the Health Department was present for the presentation.

Motion made by Hector Zamora to accept staff recommendations, seconded by Gregory Davis unanimously carried.

The Department recommends that it be found:

- 1) That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - 2) That the structure can be repaired; and
 - 3) That the main structure and accessory building be secured and maintained secured within 30 days; and
 - 4) That the premises be cleaned of all weeds, trash and debris; within 30 days; and
 - 5) 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.
- VII. Public hearing to determine if the property located at 809-811 Myrtle 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 April 6, 2005. The owners of this property, Carlos Escobedo (the "Owner"), 10540 Kendall, El Paso, Texas 79924, have been notified of the violations at this property.

The owner was not present for the presentation.

Leo CassoLopez gave presentation.

Ricardo Flores from the Fire Department was present.

Motion made Hector Zamora to accept staff recommendations, seconded by Alexandra Swann unanimously carried.

The Department recommends that it be found:

- 1) That the main structure and accessory buildings 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 can be repaired; and
- 5) That the main structure and accessory buildings be secured and maintained secure within 30 days, and
- 6) That the premises be cleaned and maintained cleaned 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 2731 Portland, 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 February 9, 2006. The owner of this property, Marcelino Castillo (the "Owner"), 2731 Portland Ave, El Paso, Texas 79930, has been notified of the violations at this property.

The property owner was not present for presentation.

Leo CassoLopez gave presentation.

Manny Morales from the Health Department was present for the presentation.

Motion made by Jimmy Stevens, seconded by Gregory Davis to accept staff recommendations and unanimously carried.

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 and accessory structure be demolished within 30 days; and
- 6) That the premises be cleaned 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.

IX. Public hearing to determine if the property located at 3505 Wyoming 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 2, 1999. The owner of this property, Martin Sweed (the "Owner"), 3505 Wyoming Avenue, El Paso, Texas 79903-4427, has been notified of the violations at this property.

No one representing the property was present.

Leo CassoLopez gave presentation.

Sam Jarvis from the Health Department was present for the presentation.

Motion made by Jimmy Stevens to accept staff recommendations, seconded by Becky Freshenhan.

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 and accessory structure be demolished within 30 days; and
- 6) That the premises be cleaned 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.

X. Discussion

XI. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:20 p.m.

Roman Bustillos, Acting Chair

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