

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"
2ND FLOOR, CITY COUNCIL CHAMBERS
July 25, 2012
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, July 27, 2012 at 5:30 p.m. with the following members present:

Board Members Present:

Al Jurado
William C. Helm II
Robert C. Filarski
Linda Vick
Ben Bohannon (alternate)
Michael Bray (alternate)
Ira Barbe
Andrew Haggerty (Panel B)

Others Present:

Bill Stern, Deputy Building Official
Mathew Cross, Assistant City Attorney
John Batoon, Assistant City Attorney
Roger Iveson, Chief Building Inspector
Nellie Avalos, Building Inspector
Roger Iveson, Chief Building Inspector
Trenda Rocha, Administrative Assistant
Nancy Spencer, Recording Secretary

Absent Members:

Jessie Sanchez
Paul Gilcrease

AGENDA

Call to Order

- I. The Building & Standards Commission meeting, Panel "A" was called to order by Chairman Robert Filarski at **5:45 p.m.**

Chairman Robert Filarski sworn in all witnesses present to give testimony on the cases heard.

Regular Items:

- II. Public hearing to determine if the property located at 517 S. Mesa Street, in the City of El Paso, is a dangerous structure and determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, JB4 Prop., L.P., Attn.: Joseph Bencomo, III, Registered Agent and JB#, Inc., General Partner, Attn.: Joseph Becomo, President and they have been notified of this hearing.

Bill Stern, Deputy Building Official, read the item into the record.

Roger Iveson, Chief Building Inspector presented the case.

Proposal for demolition was provided to board members. Bill Stern advised that he spoke to Mr. Bencomo that he agreed to staff recommendations for demolition. Has hired a demolition contractor and a asbestos contractor to determine if there is asbestos in the building. Asking to approve.

Michael Bray asked if study met state and federal standards. Bill advised that the asbestos must be removed from the building before demolition. Advised that Mr. Bencomo was aware of the possible increased on the asbestos findings.

Motion made by Andrew Haggery, seconded by Michael Bray to accept staff recommendations, unanimously carried.

The owners have been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Division recommends that it be found:

1. That the structure is 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 rehabilitated; 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 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.
- III. Public hearing to determine if the property located at 407 S. Concepcion Street, in the City of El Paso, is a dangerous structure and determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, Felipe Rayos and Marcos and Virginia Palacio, and they have been notified of this hearing.

Bill Stern, Deputy Building Official, read the item into the record.

Kevin Harrell, Building Inspector presented the case.

No public comment was made on the case.

Motion made by Ira Barbe, seconded by Michael Bray and Andrew Haggerty to accept staff recommendations, unanimously carried.

The owners have been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Division recommends that it be found:

1. That the structure is 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 rehabilitated; 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 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.

- IV. Public hearing to determine if the property located at 2524 Porter Avenue, in the City of El Paso, are dangerous structures and determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, Benita Melendez and Carman A. Melendez, and they have been notified of this hearing.

Bill Stern, Deputy Building Official read the item into the record.

Nellie Avalos, Building Inspector presented the case.

Linda Vick asked for clarification of demolition and cleaning of property. Was advised that city will demolition put the first lien, clean up and 2nd lien.

Robert Filarski asked if any contact has been made with owner on property. Was advised no contact.

Motion made by Michael Bray, seconded Ben Bohannon and Andrew Haggerty to accept staff recommendations, unanimously carried.

The owners have been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Division recommends that it be found:

1. That the structure is 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 structures cannot be rehabilitated; and
5. That the structures 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 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 2702 Porter Avenue, in the City of El Paso, is a dangerous structure and determine if the owners will be ordered to secure, repair, remove or demolish the property. The interested parties have been identified as, Tomasa Ramirez, and they have been notified of this hearing.

Bill Stern, Deputy Building Official, read the item into the record.

Nellie Avalos, Building Inspector presented the case.

Eduardo Ramirez, husband of the owner was present for public comment. Advised he took out a roofing permit and a general repair permit in June 2012. Ms. Avalos advised that a structural engineer was needed to check for evidence of structural damage.

Bill Stern advised he checked the permits that they were only for general repairs.

John Batoon advised that they have 30 days to bring property into compliance. Owner can ask for extension of time. He would have to submit plans, engineer's report, etc.

Nellie Avalos informed husband that the permits were only for general repairs. He will have to submit plans, engineering report

William Stern suggested that the commission may grant 60 days to the owner to comply, clean and secure property within 30 days.

John Batoon advised commission can require owner to secure and clean within 30 days or demolish the property. Then if not complied with, the City will come in.

Nellie Avalos informed the husband of what he needs to do and what the commission is asking for. She advised the husband has started some work on the property.

Bill Stern wanted it noted that if the engineer's report states the property cannot be repaired, he would not be reimbursed for any money he has invested on the repairs.

He has to put on plywood on the windows, secure the building to keep unwanted persons out of the property, fencing around the property.

Avalos advised the husband will be talking to the contractor.

Michael bray motion to Board and secure within 30 days, return to the commission within 60 days, show a plan on the reconstruction and completion of project, seconded by Linda Vick.

Motion made by XXXXXXXXX, seconded XXXXXXXX to accept staff recommendations, unanimously carried.

The owners have been notified of the property maintenance violations at this property. To date there has been no response or corrective action taken, and therefore the Division recommends that it be found:

1. That the structure is 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 rehabilitated; 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 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. Adjournment

Motion made to adjourn the meeting by Andrew Haggerty, seconded by Michael Bray was unanimously carried. The meeting adjourned at 7:25 p.m.

Robert Filarski, Chairman, Panel "A"

Bill Stern, C.B.O., Deputy Building Official
Code Compliance Division