CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"
2ND FLOOR, CITY COUNCIL CHAMBERS
JULY 29, 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, July 29, 2009 at 5:30 p.m. with the following members present:

Board Members Present:
Michael Bray (Chairman)
Roman Hernandez
Armando Uranga (alternate)
Tommy Razloznik
Kenneth Walters
James Ratliff (alternate)
Margie Aguilar-Desrosiers

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
Sergio Melendez

Absent Members
Gregory Bowling

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Chairman Michael Bray at 5:55 p.m.

II. Approval of minutes for the Building and Standards meeting held May 27, 2009

Motion made by Kenneth Walters seconded by Tommy Razloznik to approve the May 27, 2009 minutes, unanimously carried.

III. Changes to the agenda

Bill Stern, Chief Building Inspector advised of several corrections to the agenda Remove the second set of names listed on item #7 as this information did not pertain to this item.

Public Comment was made by Troy Ainsworth, Historic Preservation Officer reference 1940 Doniphan.

Chair Michael Bray recommended that research be conducted on the historic background on all properties recommended for demolition.

Regular Items:

IV. Public hearing to determine if the property located at 1940 Doniphan Drive, 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 owner of this property, Pearl T. Gaal, c/o Gilberto T. Terrazas, 264 Northwind Dr., El Paso, Texas, 79912 (the **"Owner"**), has been notified of the violations at this property.

Bill Stern, Chief Building Inspector advised that this item would be deleted from the agenda.

V. Public hearing to determine if the property located at 1273 Ohio 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 December 2, 2008. The owners of this property, Guadalupe Nevarez Sosa and Rigoberto Sosa, 11124 Shiner Ave., El Paso, Texas, 79936 and Mutual Federal Savings & Loan Association of El Paso, Lienholder (the **"Owners"**), have been notified of the violations at this property.

Bill Stern, and Tom Maguire, Chief Building Inspectors were present for discussion.

Nellie Avalos, Residential Inspector was present for discussion.

The commission was advised that an additional recommendation be added for the premises to be vacated within (30) thirty days and remain vacated and secured until the structure is rehabilitated.

Rigoberto Sosa, property owner was present for discussion.

Sylvia Zanella inspector from Code Enforcement was present for discussion.

Motion made by Tommy Razoznik, seconded by Margie Aguilar-Desrosiers to accept staff recommendations, 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:

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 structures be vacated and remain vacated within thirty (30) days; and
5. That the structure's certificate of occupancy be revoked; and
6. That the main structure be secured within thirty (30) days and maintained secure until rehabilitated; and

7. That the accessory structure and unpermitted addition be demolished within thirty (30) days; and
8. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) 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. Public hearing to determine if the property located at 618 La Paz Avenue, 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 16, 2009. The owners of this property, Rufina and Ernesto Chavez, 618 La Paz Drive, El Paso, Texas, 79915, Estate of Dario Garcia, 618 La Paz Drive, El Paso, Texas, 79915, E & S Investments Joint Venture, 222 South El Paso Street, El Paso, Texas, 79901, William Ehrlich or Herbert Ehrlich, Trustees for E & S Investments Joint Venture, 109 North Oregon St., El Paso, Texas, 79901, Rocky Mountain Mortgage Co., 2244 Trawood #110, Box 371370, El Paso, Texas, 79935, Beverly Mistrin or Raymond Malphurs, Trustees for Rocky Mountain Mortgage Co., c/o Barrett, Burk, Wilson, Castle, Daffin & Frapper, LLP, 1500 Surveyor Blvd., Suite 100, Addison, Texas, 75001 (the **"Owners"**), have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Raul Bueno, Residential Inspector was present for discussion.

Hebert Ehrlich, legal representative for E & S Investments Joint Venture was present for discussion.

Motion made by Margie Aguilar-Desrosiers, seconded by Roman Hernandez to accept staff recommendations, unanimously carried.

The owner has been notified of the violations at this property, to date there has been no response or corrective action has been 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 structures' certificate of occupancy be revoked; and
4. That the main structure be secured and maintained secure within 30 days; and
5. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and

6. That upon failure by the owner or any interested party to comply with 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 work done by the city.

VII. Public hearing to determine if the property located at 12261 Diana Natalicio Dr., 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 March 27, 2009. The owners of this property, Deborah A Waddle-Brooks, 12261 Diana Natalicio Dr., El Paso, Texas, 79936 (the **"Owner"**), has been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Sergio Melendez, Combination Inspector Supervisor was present for discussion.

Barrett Wood, legal representative for J P Morgan Chase Bank was present for discussion.

Deborah A Waddle-Brooks, property owner was present for discussion.

Sylvia Zanella, Inspector from Code Enforcement was present for discussion.

Motion made by Tommy Razloznik, seconded by Kenneth Walters to accept staff recommendations unanimously carried.

The owner has been notified of the violations at this property, to date there has been no response or 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 be vacated, remain vacated and secured until rehabilitated or demolished: and
5. That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
6. 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.

There was discussion on the staff providing a status report on the update of cases heard by the commission and to include if the recommendations have been complied with. Chair Michael Bray requested this item be put on the agenda and the information be provided at the next Building and Standards Commission meeting.

For the meeting also, there will be an election for a vice chair for Panel A.

VIII. 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 Inspector
Development Services Department