CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"
2ND FLOOR, CITY COUNCIL CHAMBERS
August 25, 2010
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, August 25, 2010 at 5:30 p.m. with the following members present:

Board Members Present:
Roman Bustillos
Jimmy Stevens
Lorraine Huitt
Paul Zacour
Ira Barbe

Others Present:
Bill Stern, Chief Building Inspector
Victor Morrison-Vega, BPI Deputy Director
Cynthia Osborn, Assistant City Attorney
Tom Maguire, Chief Building Inspector
Nellie Avalos, Building Inspector
Robert Gonzalez, Building Inspector
Sergio Melendez, Building Combination Inspector Supervisor
Lucy Acosta, Recording Secretary
Nancy Spencer, Recording Secretary

Absent Members:
Fred Perez
James Erickson

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "B" was called to order by Chairman, Roman Bustillos at 6:05 p.m.

II. Approval of minutes for the meeting held June 30, 2010.

Corrections were made to the minutes dated June 30, 2010. The correct approval date for the minutes should be April 28, 2010 and to indicate that commission member Jimmy Stevens was present at the April 28, 2010 meeting.

Motion made by Ira Barbe, seconded by Jimmy Stevens to approve the minutes with the noted corrections, unanimously carried.

III. Any changes to the agenda

Bill Stern, Chief Building Official requested for Item #8 to be heard as the first case.

Motion made by Lorraine Huitt, seconded by Jimmy Stevens to move Item #8 to be heard as the first case, unanimously carried.

Regular Items:

IV. Public hearing to determine if the property located at 10416 Aphonia 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 June 24, 2010. The owners Laura G. Cataldi, 10416 Aphonia Dr., El Paso,Texas, 79924, El Paso Sunshine Mortgage, Inc., d/b/a Sunshine Mortgage, Inc., Lienholder, 6044 Gateway East, Suite 700, El Paso, Texas, 79905 and Michael L. Riddle, Trustee, 717 North Harwood, Suite 2400, Dallas, Texas, 75201, (the **"Owners"**), have been notified of the violations at this property.

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

Robert Gonzalez, Building Inspector, presented the case.

Antonio Cataldi, representative for the owner was present for discussion. The commission was advised that a contractor has been hired to repair the fire damage done on the home and that the property has been boarded up and debris and trash has been cleaned up.

Henry Enriquez, contractor hired by the property owner to rehabilitate the property was present for discussion

Bill Stern advised the commission that a fire investigation permit will need to be obtained and an inspection will need to be conducted. Mr. Cataldi advised that he is wiling to work with the city in the reparation of the home.

Motion made by Paul Zacour, seconded by Jimmy Stevens, 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 structures' certificate of occupancy be revoked; and
4. That the structure be secured and maintained secured within thirty (30) days; and
5. That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days; and
6. That a fire investigation permit be obtained within 30 days to determine damage and what needs to be repaired; and
7. That all necessary permits for rehabilitation or demolition be obtained within 30 days; and
8. 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.
9. That the structure be secured within thirty (30) days and maintained secured until rehabilitated or demolished; and

V. Public hearing to determine if the property located at 410 Canal 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 July 16, 2010. The owners David Hernandez Jr. and Cleo Hernandez, 12013 Ivory Gate Way, El Paso, Texas, 79936 (the "**Owners**"), have been notified of the violations at this property.

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

Sergio Melendez, Combination Building Inspector Supervisor presented the case.

Cleo Hernandez, representative for the property owner was present for discussion. Ms. Hernandez requested an extension of time to allow her time to seek financial assistance to take care of the property. Clarification was made for the record that Ms. Cleo Hernandez is not the owner of the property and cannot obtain permits to demolish the structure.

Leslie Canada, Relations Coordinator for the El Paso Police Department was present for discussion. The commission was advised that someone was staying in the property.

Motion made by Ms. Lorraine Huitt, seconded by Mr. Jimmy Stevens, 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 structures' 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. Public hearing to determine if the property located at 905 Hills 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 June 24, 2010. The owners Jose Rosales, Ana Maria Rosales and Josefina Rosales, 905 Hills St., El Paso, Texas, 79901, (the **"Owners"**), have been notified of the violations at this property.

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

Sam Mendoza, Inspector, presented the case.

Nellie Avalos, Building Inspector, read out corrections on the exhibits presented on the case for the record.

Motion made by Mr. Jimmy Stevens, seconded by Mr. Ira L. Barbe, 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 structures' 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.

VII. Public hearing to determine if the property located at 2306 Magoffin 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 June 16, 2010. Ana Maria Trejo, 2306 Magoffin Ave., El Paso, Texas, 79901, Charles Haddad, Lienholder, 700 Montana Ave., El Paso, Texas, 79902 and John R. King, Trustee, 1902 E. Harrison, Harlingen, Texas, 78550 (the **"Owners"**), have been notified of the violations at this property.

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

Nellie Avalos, Building Inspector, presented the case.

Motion made by Ms. Lorraine Huitt, seconded by Mr. Jimmy Stevens, 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 structures are 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 cannot be rehabilitated; and
5) That the structures be vacated within (30) days; and
6) That the structures be demolished within (45) days; and
7) That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days; and
8) 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 5041 Charl Ann 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 June 16, 2010. Patrick M. Ebert and Mary Frances Stewart Ebert, 5041 Charl Ann Street, El Paso, Texas, 79932-2203 and El Paso Federal Savings and Loan Association, Jack T. Starnes, Trustee, 517 N. Kansas Street, El Paso, Texas, 79901, (the **"Owners"**), have been notified of the violations at this property.

This item was heard as the first case on the agenda.

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

Mary Francis Stewart, representative for the property owner was present for discussion. The commission was advised that she was in the process of rehabilitating the property.

Bill Stern requested that this item be deleted from the agenda.

Motion made by Jimmy Stevens, seconded by Paul Zacour to delete this item from the agenda, unanimously carried.

IX. Update on cases heard by the commission to determine if recommendations have been complied with.

The commission was provided with copies of the vacant building ordinances for their review and advised that the ordinance will take effect in March, 2011.

X. 2011 Building and Standards Commission meeting schedule

XI. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:30 p.m.

Ronan Bustillos, Chairman

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