CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"
2ND FLOOR, CITY COUNCIL CHAMBERS
MARCH 31, 2010
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, March 31, 2010 at 5:30 p.m. with the following members present:

Board Members Present:
Michael Bray (Chairman)
James Ratcliff
Robert Filarski
Tommy Razloznik
Kenneth Walters

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

Absent Members
Gregory Bowling
Roman Hernandez
Margie Aguilar-Desrosiers

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Chairman Michael Bray at 5:36 p.m.

II. Approval of minutes for the Building and Standards meeting held January 27, 2010

Motion made by Kenneth Walters, seconded Tommy Razloznik to approve the January 27, 2010 minutes, unanimously carried.

III. Changes to the agenda

No changes to the agenda were made.

Regular Items:

IV. Public hearing to determine if the property located at 105 N. Oregon 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 November 10, 2009. The owner Caples Land Company, LLC, 105 N. Oregon, Avenue, El Paso, Texas 79901 (the **"Owner"**), has been notified of the violations at this property.

Bill Stern, Chief Inspector, presented the item.

Lt. Frank Guillen, Fire Marshall, was present for discussion. As of March 31, 2010, fire sprinkler system has not been up to code and there is no fire sprinkler system monitoring.

William Abraham, owner, was present for discussion. He is asking the commission for 60 days to address the maintenance issues.

Enrique Esteves, UPS owner, was present for discussion.

Motion made by Kenneth Walters, seconded by Robert C. Filarski 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 be found:

1. That the structure is substandard; 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 can be rehabilitated; and
4. That an electrician be hired to evaluate the entire electrical system and make the required repairs and remove all non permitted or illegal wiring, equipment or distribution systems within sixty (60) days; and
5. That a contractor be hired to repair all noncompliant plumbing installations and repair the required restrooms, install a ventilation system in the restroom and provide access from all occupied tenant spaces to the restrooms within sixty (60) days; and
6. That all non permitted installations of partitions and ceilings be removed within sixty (60) days; and
7. That all non permitted mechanical systems be removed within sixty (60)days; and
8. That all broken window glass be removed and the openings be protected by covering with plywood within sixty (60) days; and
9. That all components of all egress paths shall be restored to the required rating and the required panic hardware be installed within sixty (60) days; and
10. That all non permitted storage and accumulations of materials, articles, trash and debris be removed within sixty (60) days; and
11. That the fire code violations listed in the Fire department correction notice of January19, 2010 be corrected and the fire escape be repaired; and
12. That if the requirements of #4 through #11 are not complied with within sixty (60) days the structures certificate of occupancy be revoked and that the structure be vacated; and
13. That the structure be secured and maintained secure until rehabilitated; and

14. 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 1701 N. Stanton, 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 January 19, 2010. The owners Franklin Acquisition, L.L.C. 4800 North Stanton, #160, El Paso, Texas 79902; Herbert Ehrlich, Attorney at Law, Scherr, Legate & Ehrlich, P.L.L.C., 109 North Oregon Street, 12th Floor, El Paso, Texas 79901-1133; William David Abraham, P.O. Box 1797, El Paso, Texas 79949-1797; Katz Realty Company, Inc., 4050 Rio Bravo, Suite 201, El Paso, Texas 79902; and Robert Malooly, 930 Raynolds, El Paso, Texas 79903 (the **"Owners"**), have been notified of the violations at this property.

Bill Stern, Chief Inspector, presented the item.

William Abraham, owner, was present for discussion. He agrees with staff recommendations except for the demolishing of the arbor.

Motion made by Tommy Razloznik, seconded by Kenneth Walters to accept staff recommendations with changes made, 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 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 thirty (30) days; and
6. That an engineer be hire to submit plans within (30) days to repair the arbor within 60 days.
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.

VI. Public hearing to determine if the property located at 6244 Impala 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 December 17, 2009. The owner James Johnson and Cathy L. Johnson, 6244 Impala Avenue, El Paso, Texas 79924-4324; Bank of America, 475 Crosspoint Parkway, Getzville, New York 14068-9000 (the **"Owners"**), have been notified of the violations at this property.

Robert Gonzalez, Building Inspector, presented item.

Bill Stern, Chief Inspector, was present for discussion.

James Johnson and Cathy Johnson, owners of property, were present for discussion. They mentioned that they were not notified of the violations. He accepts staff recommendations.

Motion made by Robert C. Filarski, seconded by Kenneth Walters 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 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 within thirty (30) days and maintained secure until rehabilitated; 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. Update on cases heard by the commission to determine if recommendations have been complied with.

Bill Stern, Chief Inspector, updated the commission with the orders from 2009 to 2010.

Tommy Razloznik asked for update on Diana Natalicio.

Bill Stern responded that the utilities have been disconnected on Diana Natalicio.

VIII. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:28 p.m.

Michael Bray, Chairman
Panel "A"

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