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

Board Members Present:
Roman Bustillos
Anibal Olague
James M. Erickson
Paul Zacour
Ira Barbe
Jimmy Stevens

Others Present:
Bill Stern, Chief Building Inspector
Victor Morrison-Vega, BPI Deputy Director
Cynthia Osborn, Assistant City Attorney
Zully Davila, Building Inspector
Nellie Avalos, Building Inspector
Robert Gonzalez, Building Inspector
Nancy Spencer, Recording Secretary

Absent Members
Lorraine Huit
Fred Perez

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "B" was called to order by Chairman, Roman Bustillos at 5:40 p.m.

II. Approval of minutes for the meeting held April 28, 2010.

Motion made by James M. Erickson, seconded by Ira L. Barbe to approve the minutes for the April 28, 2010 unanimously carried.

III. Any changes to the agenda

No changes to the agenda

Regular Items:

IV. Public hearing to determine if the property located at 133 Elvira Way, 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 4, 2009. The owners Juan Huerta, 133 Elvira Way, El Paso, Texas 79922-1311 and Baltazar Huerta, 4210 Hercules, El Paso, Texas 79904 (the **"Owners"**), have been notified of the violations at this property.

Bill Stern, Chief Building Inspector, read the item into the record.
Robert Gonzalez, Building Inspector, presented the item.

Bill Stern, Chief Building Inspector, read the item into the record.

Socorro Garcia and Melissa Garcia representatives for the owner of the property were present for discussion. A request was made by Ms. Socorro Garcia for additional time to allow them an opportunity to consider other options on what to do with their property.

Officer Cruz Morales from the Police Department was present for discussion. The commission was informed that the Police Department has responded to calls at that property.

Motion made by Fred Perez, seconded by James M. Erickson, to accept staff recommendations unanimously carried.

The owner has 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 original structure can be rehabilitated; and
5) That the main structure be secured within thirty (30) days and maintained secure; and
6) That the deteriorated addition and the accessory structure be demolished within thirty (30) days; and
7) That the premises be cleaned within 30 days and maintained clean of all weeds, trash, and debris; 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.

V. Public hearing to determine if the property located at 3107 Findley 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 March 12, 2010. The owner Ramon & Maria Lugo, Camino De las Cumbres 244 Fraccionamiento Los Remedios, Durango, Mexico, CP 34100, (the "**Owner**"), has been notified of the violations at this property.

Bill Stern, Chief Building Inspector, read the item into the record.

The commission was advised that a demolition permit has been obtained to demolish this property.

Zully Davila, building inspector presented the item.

Motion made by Jimmy Stevens, seconded by 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 Department recommends that it be found:

The owner has been notified of the property maintenance violations at this property, to date there has been no 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 cannot be rehabilitated; and
4) That the structure be demolished; and
5) That the premises be cleaned within 30 days and maintained clean of all weeds, trash, and debris; 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.

VI. Public hearing to determine if the property located at 3011 E. San Antonio 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 6, 2010. The owner, Rosalio Avelar & Ernestina M. Avelar, 3011 E, San Antonio Avenue, El Paso, Texas, 79905, (the **"Owner"**), has been notified of the violations at this property.

Item #6 was moved to the forefront to be heard first.

Bill Stern, Chief Building Inspector, read the item into the record.

Commission members were advised that the rockwall and building at this property has collapsed. A request was made to delete Item #6 from the agenda.

Motion made by James Erickson, seconded by Jimmy Stevens, to accept staff recommendations to delete item #6 from the agenda unanimously carried.

The owner has 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 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 1024 River 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 28, 2010. The Carlos A and Maria G. Reyes, 1024 River Avenue, El Paso, Texas, 79902, (the **"Owners"**), have been notified of the violations at this property.

Bill Stern, Chief Building Inspector, read the item into the record.

Nellie Avalos, Building Inspector, presented the item.

Jose Miguel Rivas, Chamizal Neighbor Association, was present for discussion.

A modification was made to delete Item #6 listed on the recommendations.

Motion made by Ira L Barbe, seconded by James Erickson, to accept staff recommendations unanimously carried.

The owner has 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 can be rehabilitated; and
5) That the structure be secured within thirty (30) days; and
6) That the premises be cleaned within thirty (30) days and maintained clean of all weeds, trash, and debris; 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. Update on cases heard by the commission to determine if recommendations have been complied with

Bill Stern, Chief Building Inspector, gave an update on the cases heard by this panel and whether the recommendations have been complied with.

IX. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:05 p.m.

Roman Bustillos, Chairman

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