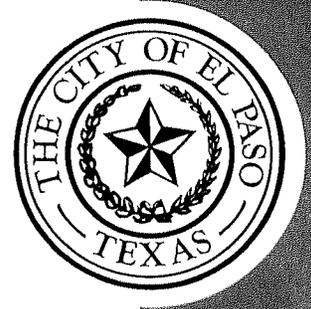


Dedicated to Outstanding Customer Service for a Better Community

SERVICE SOLUTIONS SUCCESS

CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM



DEPARTMENT: Development Services Department

AGENDA DATE: February 2, 2010

CONTACT PERSON NAME AND PHONE NUMBER: Victor Q. Torres, Development, (915) 541-4557

DISTRICT(S) AFFECTED: 3

SUBJECT:

Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso City Code:

21 Half Moon Drive \$753.44 District 3
DANIEL AND GLORIA IRENE CHAVEZ

BACKGROUND / DISCUSSION:

The Building Standards Commission conducted a public hearing on October 26, 2005 and ordered that the main structure at 21 Half Moon Drive be secured and clean of all weeds, trash and debris within 30 days. The cost incurred for this property at 21 Half Moon Drive includes \$753.44 performed by the Street Department, Development Services and City Clerks Office.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Building & Standards Commission - October 26, 2005

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Signature of Victor Q. Torres
(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson

RESOLUTION

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 26th day of October, 2005, after due notice and hearing, issued an order to **DANIEL AND GLORIA IRENE CHAVEZ**, record Owners of the hereinafter described property that the main structure be secured within thirty (30) days and to clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to secure the Building and to clean the premises of all weeds, trash, and debris all within thirty (30) days.

WHEREAS, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of securing the main structure and to clean the premises of all weeds, trash, and debris within thirty (30) days, more particularly described as:

Lot 14, Block 1, Rosedale Farms No. 5, an addition in the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 14, Page 1, Plat Records in the office of the County Clerk of El Paso County, Texas, municipally known and numbered as 21 Half Moon Drive, El Paso, Texas.

to be \$753.44, performed by the Street Department of the City of El Paso. The City Council finds that the work was completed on the 2nd day of November, 2009, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of SEVEN HUNDRED FIFTY THREE AND 44/100 DOLLARS (\$753.44) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.



**OFFICE OF THE CITY ATTORNEY
M E M O R A N D U M**

**CONFIDENTIAL ATTORNEY-CLIENT AND/OR ATTORNEY WORK PRODUCT COMMUNICATION
NOT INTENDED FOR PUBLIC DISSEMINATION**

DATE: January 21, 2010

TO: Victor Q. Torres, Director *CSO*
Building Permits and Inspections
Development Services Department

FROM: Cynthia Osborn, Assistant City Attorney

SUBJECT: Agenda Item for Consent Agenda

The following lien should be considered on the City Council Consent Agenda.

21 Half Moon Drive \$753.44 District 3

The attached Condemnation Lien is in accordance with Texas Local Government Code §214.001(n). The Building and Standards Commission previously conducted public hearings on this property and ordered that measures be taken to ensure that the property was made safe. After the Owners of the property failed to comply with such orders, various City departments took action on behalf of the Owners to ensure that the property was made safe.

The costs incurred for this property include those associated with notifying all parties having an interest in the property of the public hearings, as follows:

Street Department	<u>\$753.44</u>
TOTAL	<u>\$753.44</u>

If I can provide further information, please call me.

cc: Shirley Kaiser, Capital Assets Management
Carmen Perez, Attorney at Law

ADOPTED this _____ day of _____, 2010.

CITY OF EL PASO

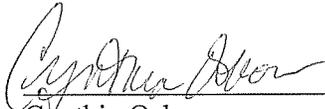
ATTEST:

John F. Cook
Mayor

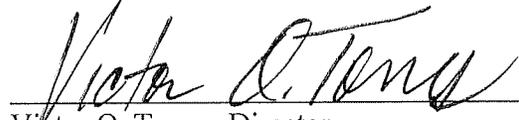
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Cynthia Osborn
Assistant City Attorney



Victor Q. Torres, Director
Building Permits and Inspections
Development Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2010 by _____, as _____ of the City of El Paso.

Notary Public, State of Texas
Notary's Printed or Typed Name:

(Seal)
PREPARED IN THE OFFICE OF:
City Attorney's Office
#2 Civic Center Plaza
El Paso, Texas 79901-1196