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



DEPARTMENT: Development Services Department

AGENDA DATE: March 2, 2010

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

DISTRICT(S) AFFECTED: 2

**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 Municipal Code:

3511 Polk Avenue	\$12,622.59	District 2
Andrea Rodriguez		

**BACKGROUND / DISCUSSION:**

The Building Standards Commission conducted a public hearing on August 26, 2009 and ordered that the building at **3511 Polk Ave** be demolish and clean of all weeds, trash and debris within 30 days. The cost incurred for this property at 3511 Polk Ave includes \$11,678.67 performed by the Street Department and \$943.42 performed by the City Attorney's office and the City Clerk's office, making a total of \$12.622.59.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Building & Standards Commission – August 26, 2009

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

DEPARTMENT HEAD:

  
(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

Development Services Department  
Victor Q. Torres – Director

2 Civic Center Plaza – 5<sup>th</sup> Floor · El Paso, Texas 79901 · (915) 541-4622 · Fax (915) 541-4799

## RESOLUTION

**WHEREAS**, in accordance with Chapter 18.50 of the El Paso Municipal Code, the Building Standards Commission of the City of El Paso, by Order dated the 26th day of August, 2009, after due notice and hearing, ordered Andrea Rodriguez, record Owner of the hereinafter described property that the main structure and the carport be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the main structure and the carport and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to demolish the main structure and the carport and clean the premises of all weeds, trash, and debris.

**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 demolishing the main structure and the carport and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 11 and 12, Block 85, Morningside Heights Subdivision, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 3511 Polk Avenue, El Paso, Texas,

to be \$11,678.67, performed by the Street Department of the City of El Paso, and \$943.42, performed by the City Attorney's Office and the City Clerk's Office, making a total of \$12,622.59. The City Council finds that the work was completed on the 7<sup>th</sup> day of December, 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 TWELVE THOUSAND NINE HUNDRED TWENTY-TWO AND 59/100 DOLLARS (\$12,622.59) 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.

**ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.**

CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

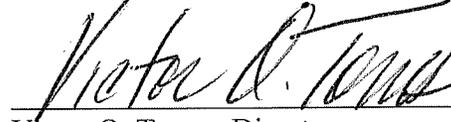
ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Cynthia Osborn  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Victor Q. Torres, Director  
Development Services Department

(ACKNOWLEDGMENT FOLLOWS ON NEXT PAGE)

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