

**CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)**

DEPARTMENT: Environmental Services

AGENDA DATE: March 3, 2009

CONTACT PERSON/PHONE: Ellen A. Smyth, P.E., (915) 621-6719

DISTRICT (S) AFFECTED: Districts 2, 6, 7, 8

SUBJECT:

Approve a resolution to place a lien for non-payment of property clean-ups

BACKGROUND / DISCUSSION:

- Lot(s) 5 & 6, Block 31, Hogan Heights Subdivision – property was cleaned on September 25, 2008 **(District 2)**

- 9440 Pavo Lane – property was cleaned on September 16, 2008 **(District 6)**

- 130 Cinecue Way – property was cleaned on September 26, 2008 **(District 7)**

- 7909 Lirio Road – property was cleaned on September 11, 2008 **(District 7)**

- 3615 Hueco– property was cleaned on September 30, 2008 **(District 8)**

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

LEGAL: (if required) Josette Flores

FINANCE: (if required) _____

DEPARTMENT HEAD: _____

**(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager**

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MARY C. MALUF (TR), referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

Lot(s) 5 & 6, Block 31, Logan Heights Subdivision, City of El Paso, El Paso County, Texas, Parcel #L447-999-0310-1500.

to be \$197.83, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED TWENTY ONE AND 83/100 DOLLARS (\$221.83). The City Council finds that the work was completed on the 25th day(s) of September, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED TWENTY ONE AND 83/100 DOLLARS (\$221.83) to be a lien on the above described property, said amount being due and

payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

4. 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.

PASSED AND APPROVED this _____ day of _____, 2009.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Josette Flores
Assistant City Attorney

Ellen A. Smyth, P.E., Director
Environmental Services Department

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2009,
by John F. Cook, as Mayor, of the City of El Paso.

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

My Commission Expires:

PREPARED IN THE OFFICE OF:

Office of the City Attorney
#2 Civic Center Plaza, 9th Floor
El Paso, Texas 79901-1196

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, LUIS & YOLANDA CASILLAS, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

9440 Pavo Lane, more particularly described as Tract 81,
Pavo Real Subdivision, El Paso, El Paso County, Texas,
Parcel #P643-999-0010-6200

to be \$272.25, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED NINETY SIX AND 25/100 DOLLARS (\$296.25). The City Council finds that the work was completed on the 16th day(s) of September, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED NINETY SIX AND 25/100 DOLLARS (\$296.25) to be a lien on the above described property, said amount being due and payable within

ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

4. 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.

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CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

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Josette Flores
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PREPARED IN THE OFFICE OF:

Office of the City Attorney
#2 Civic Center Plaza, 9th Floor
El Paso, Texas 79901-1196

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MARIA E. ESPARZA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

130 Cinecue Way, more particularly described as Tract 9-B,
Block 33, Ysleta Subdivision, El Paso, El Paso County, Texas,
Parcel #Y805-999-0330-0910

to be \$320.53, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED FORTY FOUR AND 53/100 DOLLARS (\$344.53). The City Council finds that the work was completed on the 26th day(s) of September, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED FORTY FOUR AND 53/100 DOLLARS (\$344.53) to be a lien on the above described property, said amount being due and

payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

4. 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.

PASSED AND APPROVED this _____ day of _____, 2009.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

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APPROVED AS TO CONTENT:

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Assistant City Attorney

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PREPARED IN THE OFFICE OF:

Office of the City Attorney
#2 Civic Center Plaza, 9th Floor
El Paso, Texas 79901-1196

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, LILIA DELGADO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

7909 Lirio Road, more particularly described as Lot(s) 14 Tract 4,
Block 3, Linda Vista Gardens Subdivision, El Paso, El Paso
County, Texas, Parcel #L362-999-0030-5500

to be \$232.31, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FIFTY SIX AND 31/100 DOLLARS (\$256.31). The City Council finds that the work was completed on the 11th day(s) of September, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED FIFTY SIX AND 31/100 DOLLARS (\$256.31) to be a lien on the above described property, said amount being due and payable within

ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

4. 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.

PASSED AND APPROVED this _____ day of _____, 2009.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

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Josette Flores
Assistant City Attorney

Ellen A. Smyth, P.E., Director
Environmental Services Department

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PREPARED IN THE OFFICE OF:

Office of the City Attorney
#2 Civic Center Plaza, 9th Floor
El Paso, Texas 79901-1196

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, SHELBA J. MATTESON, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3615 Hueco, more particularly described as Lot(s) 7 & 8 (7000 SQ FT), Block 117, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel #E014-999-1170-1600

to be \$174.01, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY EIGHT AND 01/100 DOLLARS (\$198.01). The City Council finds that the work was completed on the 30th day(s) of September, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY EIGHT AND 01/100 DOLLARS (\$198.01) to be a lien on the above described property, said amount being due and

payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

4. 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.

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