

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

**DEPARTMENT:** Environmental Services  
**AGENDA DATE:** April 25, 2006  
**CONTACT PERSON/PHONE:** Ellen A. Smyth, P.E., (915) 621-6719  
**DISTRICT (S) AFFECTED:** ALL Districts

**SUBJECT:**

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

**BACKGROUND / DISCUSSION:**

Lots 15 & 16, Block 42, Highland Park Subdivision (2100 Block of Portland) - property cleaned March 29, 2005 (District 2)  
3919 Lincoln - property was cleaned July 14, 2005 (District 2)  
10729 Jadestone Street - property was cleaned July 19, 2005 (District 4)  
421 Kyle Street - property was cleaned July 26, 2005 (District 8)  
Lot 2 and WLY PT of Lot 3 (4688.73 SQ FT), Block 1, Vineyard Estates Subdivision - property was cleaned June 8, 2005 (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:** \_\_\_\_\_

**Attachment A**

Lots 15 and 16, Block 42, Highland Park Subdivision <b>(District 2)</b>	\$232.74	Daniel Hernandez
3919 Lincoln <b>(District 2)</b>	\$197.56	David E. Trejo
10729 Jadestone Street <b>(District 4)</b>	\$189.44	Dan Watling and Ellen Nightinggale
421 Kyle Street <b>(District 8)</b>	\$332.87	Leopoldo Marquez and Maria Marquez
Lot 2 and WLY PT of Lot 3 (4688.73 SQ FT), Block 1, Vineyard Estates Subdivision <b>(District 8)</b>	\$416.76	Adalberto M. and Debora L. Navar

## **RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, DANIEL HERNANDEZ, owner 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 Department of Solid Waste Management 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:

Lots 15 and 16, Block 42, Highland Park Subdivision, City of El Paso, El Paso County, Texas, Parcel #H453-999-0420-7100,

to be TWO HUNDRED THIRTY-TWO AND 74/100 DOLLARS (\$232.74) as reported by the Director of Solid Waste Management. The City Council finds that the work was performed on the 29<sup>th</sup> day of March, 2005, 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 THIRTY-TWO AND 74/100 DOLLARS (\$232.74) 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 being 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 \_\_\_\_\_, 2006.

CITY OF EL PASO

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

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Josette Flores  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Ellen A. Smyth, P.E., Director, Envir. Serv.  
Solid Waste Management

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS            )  
  )  
COUNTY OF EL PASO        )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2006,  
by \_\_\_\_\_, as \_\_\_\_\_, 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  
El Paso, Texas 79901-1196

## **RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, DAVID E. TREJO, owner 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 Department of Solid Waste Management 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:

3919 Lincoln, City of El Paso, El Paso County, Texas, more particularly described as Lots 9 and 10 (5880 SQ FT), Block 122, Morningside Heights Subdivision, Parcel #M794-999-1220-3300,

to be ONE HUNDRED NINETY-SEVEN AND 56/100 DOLLARS (\$197.56) as reported by the Director of Solid Waste Management. The City Council finds that the work was performed on the 14th day of July, 2005, 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-SEVEN AND 56/100 DOLLARS (\$197.56) 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 being 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 \_\_\_\_\_, 2006.

CITY OF EL PASO

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John F. Cook  
Mayor

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Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Josette Flores  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Ellen A. Smyth, P.E., Director, Envir. Serv.  
Solid Waste Management

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

## **RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, DAN WATLING AND ELLEN NIGHTINGALE, owners 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 owners 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 Department of Solid Waste Management 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:

10729 Jadestone Street, City of El Paso, El Paso County, Texas,  
more particularly described as Lot 31, Block 1, Shearman #2  
Subdivision, Parcel #S363-999-0010-6100,

to be ONE HUNDRED EIGHTY-NINE AND 44/100 DOLLARS (\$189.44) as reported by the Director of Solid Waste Management. The City Council finds that the work was performed on the 19th day of July, 2005, 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 EIGHTY-NINE AND 44/100 DOLLARS (\$189.44) 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 being 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 \_\_\_\_\_, 2006.

CITY OF EL PASO

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

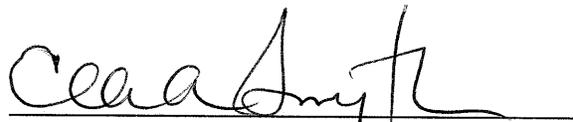
ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Josette Flores  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Ellen A. Smyth, P.E., Director, Envir. Serv.  
Solid Waste Management

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS        )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2006,  
by \_\_\_\_\_, as \_\_\_\_\_, 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  
El Paso, Texas 79901-1196

## **RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, LEOPOLDO MARQUEZ AND MARIA MARQUEZ, owners of the hereinafter described property, were 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 owners 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 Department of Solid Waste Management 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:

421 Kyle Street, City of El Paso, El Paso County, Texas, more particularly described as Lot 3, Block 2, Kyle Subdivision, Parcel #K982-999-0020-1300,

to be THREE HUNDRED THIRTY-TWO AND 87/100 DOLLARS (\$332.87) as reported by the Director of Solid Waste Management. The City Council finds that the work was performed on the 26<sup>th</sup> day of July, 2005, 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 THIRTY-TWO AND 87/100 DOLLARS (\$332.87) 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 being 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 \_\_\_\_\_, 2006.

CITY OF EL PASO

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John F. Cook  
Mayor

ATTEST:

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Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
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Josette Flores  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
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Ellen A. Smyth, P.E., Director, Envir. Serv.  
Solid Waste Management

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STATE OF TEXAS        )  
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COUNTY OF EL PASO    )

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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  
El Paso, Texas 79901-1196

## **RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ADALBERTO M. AND DEBORA L. NAVAR, owners of the hereinafter described property, were 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 owners 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 Department of Solid Waste Management 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 2 and WLY PT of Lot 3 (4688.73 SQ FT), Block 1, Vineyard Estates Subdivision, City of El Paso, El Paso County, Texas, Parcel #V856-999-0010-0350,

to be FOUR HUNDRED SIXTEEN AND 76/100 DOLLARS (\$416.76) as reported by the Director of Solid Waste Management. The City Council finds that the work was performed on the 8th day of June, 2005, 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 FOUR HUNDRED SIXTEEN AND 76/100 DOLLARS (\$416.76) 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 being 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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Mayor

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Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Josefte Flores  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
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Ellen A. Smyth, P.E., Director, Envir. Serv.  
Solid Waste Management

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