

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

DEPARTMENT: Environmental Services

AGENDA DATE: August 13, 2013

CONTACT PERSON NAME AND PHONE NUMBER: Kurt Fenstermacher, Interim Directors
(915) 621-6892

DISTRICT(S) AFFECTED: 8

SUBJECT:

Placing a lien on the following property (legal description on file with the City Clerk) for the following amount for work performed by the City pursuant to Section 2.38 of the El Paso City Code:

3529-3531 Alameda Avenue; Lots 15 & 16, Block 23 of the East El Paso Addition
(District 8) \$108,624.18 Deleyto G. Saiz Jr & Leonor P. Hyder et.al.

BACKGROUND / DISCUSSION:

The Building and Standards Commission ordered on May 23, 2012 that the structure at **3529-3531 Alameda Avenue** be secured and clean of all weeds, trash and debris within 30 days. The cost incurred for this property at **3529-3531 Alameda Avenue** includes \$54,619.92 performed by the Department of Transportation of the City of El Paso and \$53,980.21 performed by the City Clerk's Office and Environmental Services Department for a total cost of \$108,600.18 plus the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00 for a total of \$108,624.18.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

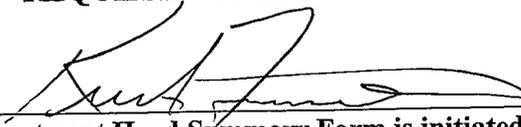
N/A

BOARD / COMMISSION ACTION:

Building Standards Commission – Public Hearing- May 23, 2012

*****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

RESOLUTION

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, DELEYTO G. SAIZ JR. & LEONOR P. HYDER ET. AL., 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 accumulations of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 2.38 of the El Paso City Code; and the owner failed to comply with due notices and orders entered by the Building and Standards Commission. In accordance with El Paso City Code Chapter 2.38, the Building and Standards Commission entered an order on May 23, 2012, requiring the property to be cleared of all weeds, trash and debris within thirty (30) days from the date of the entry of said order or in the alternative the City of El Paso through the Code Compliance Division of the Environmental Services Department may demolish the structure; clear the property of all weeds, trash and debris; and seek reimbursement from the Owners for the cost of complying with this order, and that the expense, if not satisfied, shall be a lien against the Property.

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 demolishing the building(s), removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

Lots 15 & 16, Block 23, of the East El Paso Addition to the City of El Paso, Texas

to be \$108,600.18, 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 EIGHT THOUSAND AND SIX-HUNDRED TWENTY-FOUR AND 18/100 DOLLARS (\$108,624.18). The City Council finds that the work was completed on May 16, 2013, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHT THOUSAND AND SIX-HUNDRED TWENTY-FOUR AND 18/100 DOLLARS (\$108,624.18) 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 _____ 2013.

CITY OF EL PASO

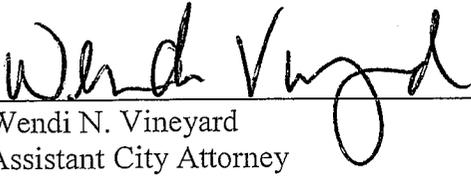
Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:


Wendi N. Vineyard
Assistant City Attorney


Kurt Fenstermacher, Interim Director
Environmental Services Department

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2013,
by Oscar Leeser, 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:
Wendi N. Vineyard
Office of the City Attorney
810 E. Overland
El Paso, Texas 79901