

CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: DEVELOPMENT SERVICES

AGENDA DATE: CONSENT - AUGUST 28, 2007

CONTACT PERSON/PHONE: WILLIAM V. STERN, DEVELOPMENT SERVICES, (915) 541-4800

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:

3204 Frankfort Avenue \$3,864.78 District 2
Frank Arteche and Martha Ruiz

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD:  _____
R. Alan Shubert, Development Services Director

OTHER: _____
(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:** _____

07 AUG 15 PM 4:19
CITY CLERK DEPT.



**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: August 13, 2007
TO: R. Alan Shubert, P.E., C.B.O., Director
Development Services Department
FROM: Ernesto Rodriguez, Assistant City Attorney
SUBJECT: Agenda Item for Consent Agenda

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

3204 Frankfort Avenue \$3,864.78 District 2

The attached Condemnation Lien is in accordance with Texas Local Government Code §214.001(n). City Council 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 Costs	\$1,883.54
Notification	619.10
Notification	579.70
Notification	632.44
Title Report	<u>150.00</u>
TOTAL	<u>\$3,864.78</u>

If I can provide further information, please call me.

cc: Juanita Gardea, City Comptroller's Office

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CITY CLERK DEPT.

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 29th day of November, 2006, after due notice and hearing, ordered Frank Arteché and Martha Ruiz, record Owners of the hereinafter described property that the Building(s) be secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners 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 secure the Building(s) 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 secure the Building(s) 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 securing the Building(s) and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

West 15 Feet of Lot 50 and all of Lots 51 and 52, Block 39, Altura Park Addition, an addition in the City of El Paso, El Paso County, Texas according to the map thereof on file in the office of the County Clerk, El Paso County, Texas; municipally known and numbered 3204, 3206, 3208 and 3210 Frankfort, El Paso, Texas,

to be \$1,883.54, performed by the Street Department of the City of El Paso, and \$1,981.24, performed by the City Attorney's Office and the City Clerk's Office, making a total of \$3,864.78. The City Council finds that the work was completed on the 6th day of June, 2007, 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 THREE THOUSAND EIGHT HUNDRED SIXTY-FOUR AND 78/100 DOLLARS (\$3,864.78) 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.

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CITY CLERK DEPT.

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 _____, 2007.

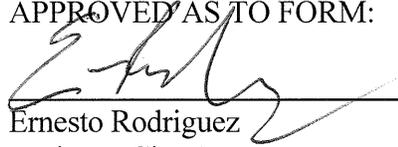
CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Ernesto Rodriguez
Assistant City Attorney

APPROVED AS TO CONTENT:



R. Alan Shubert, P.E., C.B.O., Interim Director
Development Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2007 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

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