

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

DEPARTMENT: Solid Waste Management

AGENDA DATE: September 6, 2005

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

DISTRICT (S) AFFECTED: 1, 4, 8

SUBJECT:

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

BACKGROUND / DISCUSSION:

1013 Kimberley Drive-property cleaned December 18, 2003 (District 1)

5309 Edmonton Avenue cleaned November 30, 2004 (District 4)

618 Nino Aguilera cleaned September 17, 2004 (District 8)

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

LEGAL: (if required) Lisa A. Hayes & Raymond Telles **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, REYES AND FRANCISCA G. LOPEZ, 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:

1013 Kimberley Drive, City of El Paso, El Paso County, Texas,
being more particularly described as Lot 16 (14942 SQ FT), Block
2, Pinckard #2 Subdivision, Parcel #P859-999-0020-0160,

to be FIVE HUNDRED SEVENTY-FIVE AND 35/100 (\$575.35) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the eighteenth day of December, 2003, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FIVE HUNDRED SEVENTY-FIVE AND 35/100 (\$575.35) to be a lien on the above described property, said amount being due and payable

within thirty (30 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 _____, 2005.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lisa A. Hayes
Assistant City Attorney

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 _____, 2005,
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, ALFREDO AND NUBIA ACOSTA, 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:

5309 Edmonton Avenue, City of El Paso, El Paso County, Texas,
being more particularly described as Lot 1, Block 27, Colonia
Verde Subdivision, Parcel #C741-999-0270-0100,

to be ONE HUNDRED EIGHTY-NINE AND 44/100 (\$189.44) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the thirtieth day of November, 2004, and approves the costs.

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 (\$189.44) to be a lien on the above described property, said amount being due and payable

within thirty (30 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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CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

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Assistant City Attorney

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Solid Waste Management

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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, REYNALDA R. BRANTNER, 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:

618 Nino Aguilera, City of El Paso, El Paso County, Texas, being more particularly described as Lots 18 to 20, Block 51, Magoffin Subdivision, Parcel #M028-999-0510-8100,

to be EIGHT HUNDRED ELEVEN AND 88/100 (\$811.88) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the seventeenth day of September, 2004, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount EIGHT HUNDRED ELEVEN AND 88/00 (\$811.88) to be a lien on the above described property, said amount being due and payable within thirty (30

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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