

CITY OF EL PASO, TEXAS

AGENDA ITEM

DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Environmental Services

AGENDA DATE: September 13, 2011

CONTACT PERSON NAME AND PHONE NUMBER: William V. Stern, Deputy Building Official  
(915) 599-3742

DISTRICT(S) AFFECTED: 2 & 4

**SUBJECT:**

Placing a condemnation lien on the following properties (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 City Code:

- |    |   |            |            |
|----|---|------------|------------|
| 1. | 8739 Orion Place<br>Mark T. Davis, Olie S. Robinson, Jesus Diaz De Leon | \$6,102.08 | District 2 |
| 2. | 8937 Mount Rushmore<br>Jaime H.H. Trejo                                 | \$3,560.87 | District 4 |

**BACKGROUND / DISCUSSION:**

The Building and Standards Commission conducted a public hearing on the mentioned properties and ordered that action be taken to ensure that the properties are made safe. The cost incurred for these properties were performed by the Street Department, the City Clerk's Office and the Development Services Department.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

1. BSC Public Hearing – 8739 Orion Place – January 18, 2011
2. BSC Public Hearing – 8937 Mount Rushmore – April 26, 2006

\*\*\*\*\*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 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 18<sup>th</sup> day of January, 2011, after due notice and hearing, issued an order to MARK T. DAVIS, OLIE S. ROBINSON, JESUS DIAZ DE LEON, record Owners of the hereinafter described property that the structure be secured within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Department of Transportation of the City of El Paso has been ordered to proceed to secure and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Director for 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. That the City Council determines the actual cost of the securing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 23, Block 2, Sunrise Courts, an addition to the City of El Paso, El Paso County, Texas, according to the map pat thereof on file in the Book 788 of the Deed Records of El Paso County, Texas, municipally known as 8739 Orion Place, El Paso, Texas,

to be \$4,990.13, performed by the Department of Transportation of the City of El Paso, and \$1,111.95, performed by the City Clerk's Office and Environmental Services Department, making a total of \$6,102.08. The City Council finds that the work was completed on the 18<sup>th</sup> day of January, 2011, 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 SIX THOUSAND ONE HUNDRED TWO AND 08/00 DOLLARS (\$6,102.08) 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.

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.

**(SIGNATURES FOLLOW ON NEXT PAGE)**

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

CITY OF EL PASO

ATTEST:

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

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

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
  
Robert Almonte, II  
Assistant City Attorney

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

ACKNOWLEDGEMENT

THE STATE OF TEXAS     )  
  )  
COUNTY OF EL PASO     )

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2011 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

## RESOLUTION

**WHEREAS**, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 26<sup>th</sup> day of April, 2006, after due notice and hearing, issued an order to JAIME H.H. TREJO, record Owner of the hereinafter described property that the structure be secured within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Department of Transportation of the City of El Paso has been ordered to proceed to secure and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Director for 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. That the City Council determines the actual cost of the securing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 1829, Block 74, Mountain View, an addition in the City of El Paso, El Paso County, Texas, municipally known as 8937 Mount Rushmore, El Paso, Texas,

to be \$2,564.55, performed by the Department of Transportation of the City of El Paso, and \$996.32, performed by the City Clerk's Office and Environmental Services Department, making a total of \$3,560.87. The City Council finds that the work was completed on the 1<sup>st</sup> day of May, 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 FIVE HUNDRED SIXTY AND 87/00 DOLLARS (\$3,560.87) 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.

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.

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City Clerk

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APPROVED AS TO CONTENT:

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*Robert Almonte, II*  
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Assistant City Attorney

\_\_\_\_\_  
*Ellen A. Smyth, P.E.*  
Ellen A. Smyth, P.E., Director  
Environmental Services Department

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El Paso, Texas 79901-1196